

Rome, Blood & Politics

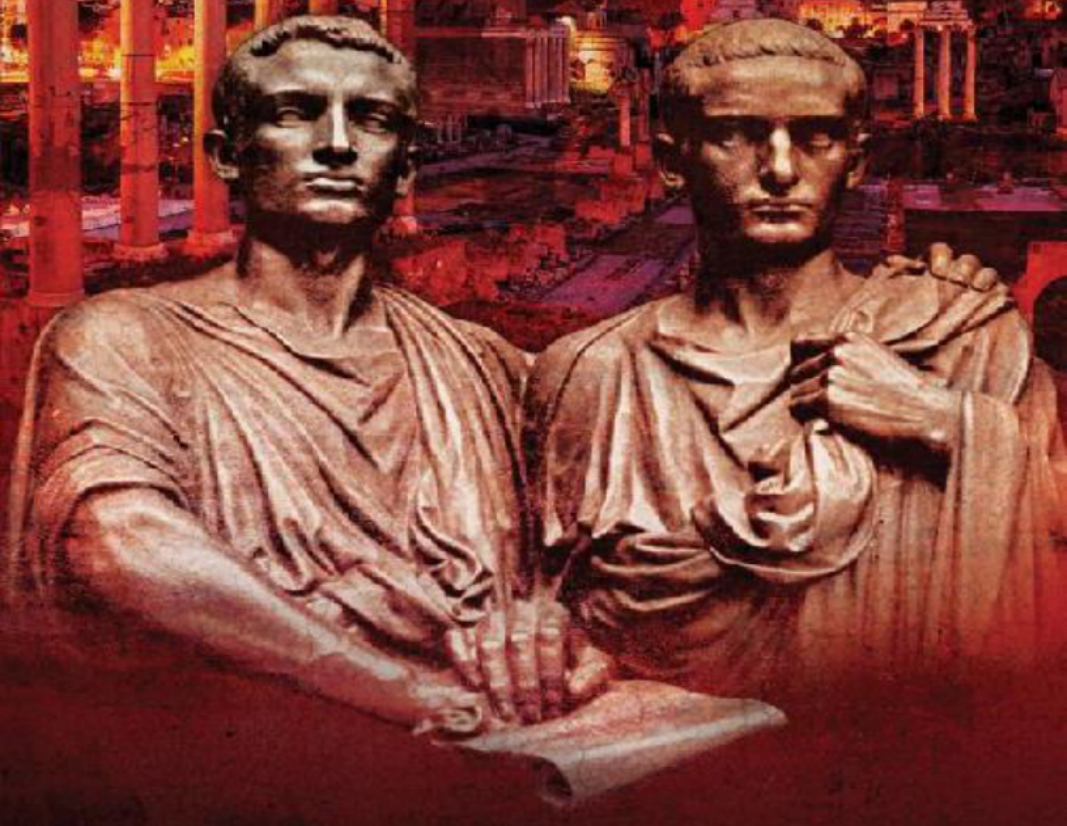
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GARETH C SAMPSON

ROME, BLOOD & POLITICS

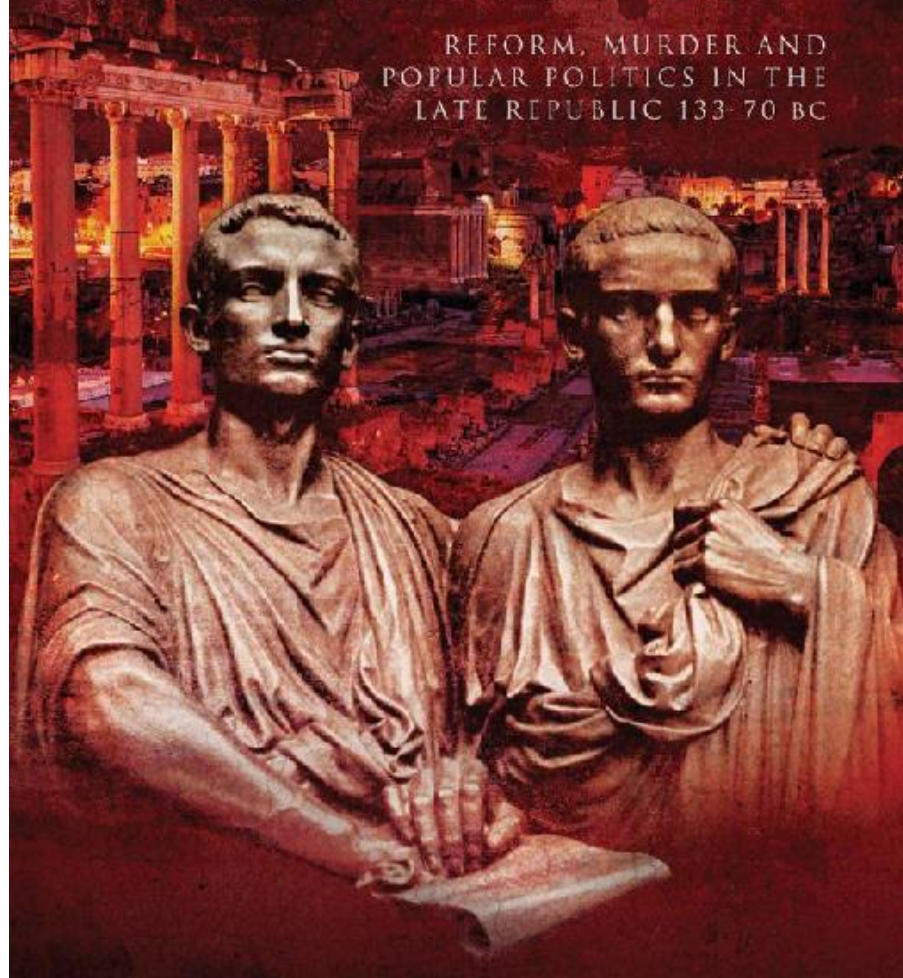
REFORM, MURDER AND
POPULAR POLITICS IN THE
LATE REPUBLIC 133-70 BC



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BC

Gareth C. Sampson



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Dedication

As always this work is dedicated to my family: my wonderful wife Alex and my two gorgeous children, Thomas and Caitlin.

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There are a number of individuals who through the years have inspired the love of Roman history in me and mentored me along the way: Michael Gracey at William Hulme, David Shotter at Lancaster and Tim Cornell at Manchester. My heartfelt thanks go out to them all.

Special mention must go to my editor Phil Sidnell, whose patience is legendary and usually needed when I'm writing a book.

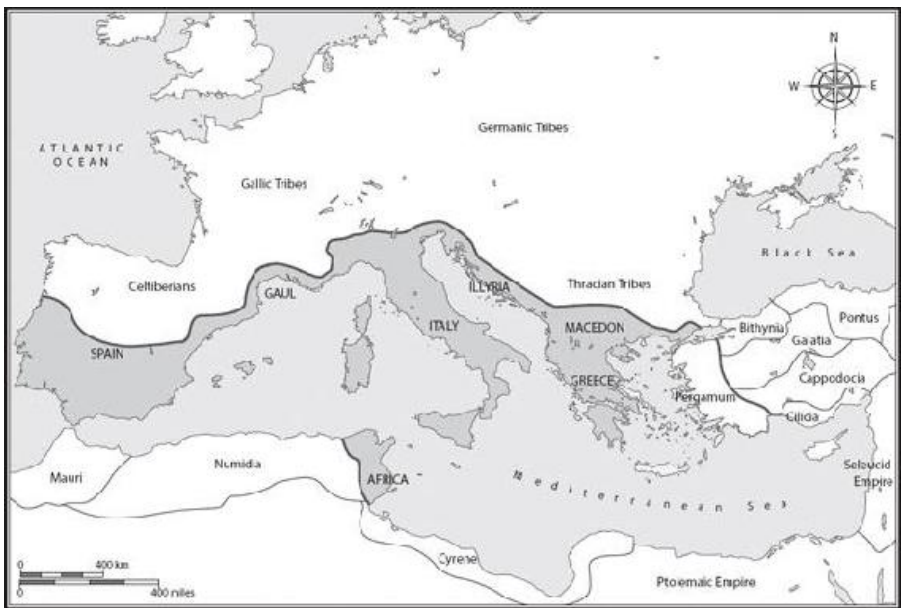
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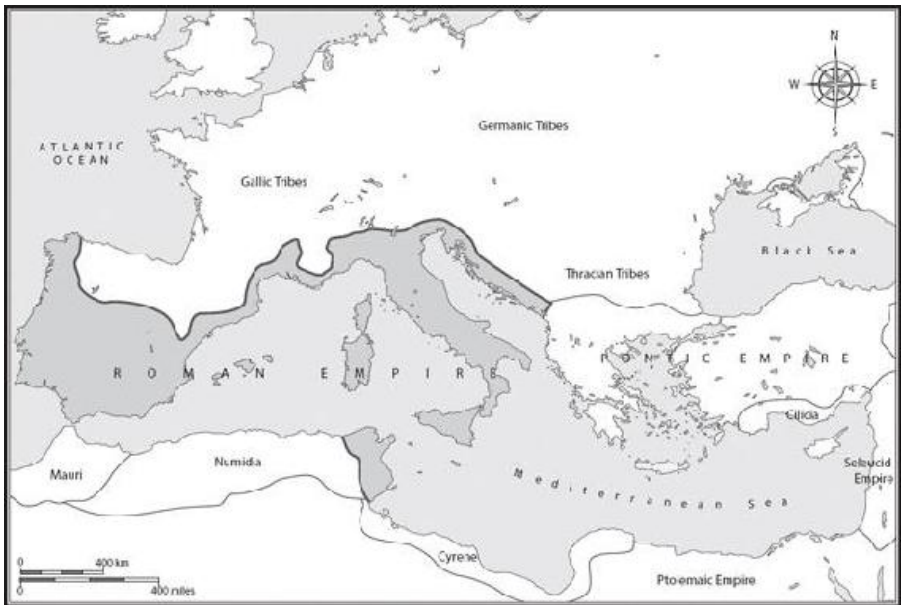
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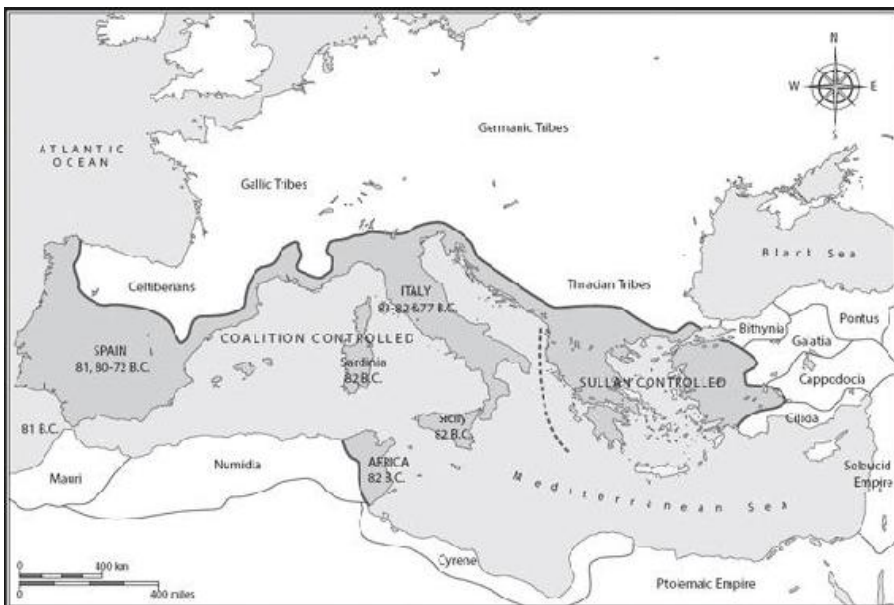
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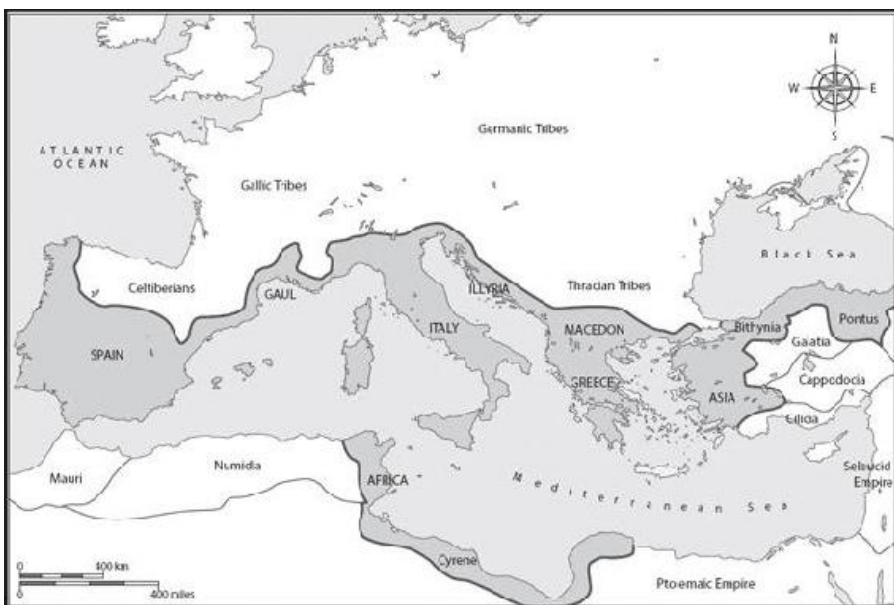
Map 1: The Mediterranean World in 146 BC.



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Introduction

From Conquest to Collapse

The year 146 BC marks a watershed in the history of the ancient world, as it saw the bloody conclusion of two wars; one was in North Africa and one was in Greece, and both involved the Roman Republic. In military terms the wars were both one-sided affairs, with the might of the Roman Republic facing a weakened Carthage in North Africa and an exhausted Macedon and Achaean League in Greece. Two of the greatest powers of the ancient world, Carthage and Macedon (whose power had already been shattered by Rome in a previous generation), were both annexed, becoming provinces of Rome's burgeoning empire. Furthermore, Rome marked this very obvious dawning of a new era with the gratuitous destruction of two of the ancient world's oldest cities, Carthage and Corinth, both sacrificed as a demonstration of what happens to those who opposed the will of the Senate and People of Rome.

Yet from this commanding position as unquestioned overlord of the Mediterranean world, within just over a decade the Republic saw a string of political murders and bloodletting in the very heart of Rome itself. Each decade that followed saw an escalation of the violence and bloodshed until the whole Republic collapsed into civil war and state-sponsored massacres. This period has always fascinated historians, from contemporary times to today. How could a seemingly invincible military power such as Rome cave in, in such a manner? The answer lay not in external enemies but from within Roman society itself and centred on Roman politics.

Roman Republican politics, like Roman society itself, was always a combative process, with an ever-changing group of political families vying for temporary pre-eminence and the chance of personal and family glory. Yet this centuries' old system had always been able to accommodate and reconcile this race for personal and family glory with the collective good of the state (the *res publica*). What is evident from the decades which followed 146 BC is the breakdown of this systems' ability to reconcile these two opposing forces without resorting to bloodshed.

A series of Roman politicians (both high and low born) rose to prominence, all pushing forward certain proposals for political, social

or economic reform, many of which ended in spontaneous outbursts of political violence. This process fed on itself, with more radical proposals being made to settle this escalation of violence and bloodshed, with the political elites of Rome finding themselves seemingly locked in an ever-deteriorating cycle of reform and blood. This cycle reached such a point that it became perfectly logical (to certain Romans) to march a Roman army against Rome itself and institute a programme of state sponsored murder, all to 'save' Rome and restore the *res publica*.

This is a study of both the evolution, and ultimately the failure of a political system and the key men who influenced it. It can be read in conjunction with my other works on the military campaigns of the period.¹ Here we shall be examining some of the most famous figures in Roman history, from the Gracchan brothers who were murdered for advancing political reform through to Marius, the Italian outsider who became Rome's greatest hero and then villain, to Sulla, who conquered and remoulded his own state to restore order, to the young men who grew up in a period of bloodshed: Pompeius, Crassus and Caesar.

Central to this study is a unique political office, the Tribune of the Plebeian Order, which evolved from humble origins as the mouthpiece of a disenfranchised section of the Roman populace to being the most powerful, and most dangerous, political office in the Roman Republican system. The origins of this work lay in my doctoral thesis in the early twenty-first century: *A re-examination of the office of the Tribune of the Plebs in the Roman Republic (494–23 BC)*,² whose dry title concealed an analysis of what lay behind five centuries of political clashes and bloodshed, at the very heart of the Roman Republican system.

The aim of this work is to examine this process and try to understand how a political system could implode so quickly and with such violent consequences. Not only is this a story of why an ancient society collapsed through political intolerance, but it is also a story of how any society could collapse through a failure of the political system.

Timeline of the Key Events of the Period 146–70 BC

BC

146	Defeat and destruction of Carthage Defeat of Achaean League and destruction of Corinth Annexation of Carthage, Macedon and Greece
134	Scipio Aemilianus leaves for Spain
133	Tribunate and Murder of Ti. Sempronius Gracchus
129	Death of Scipio Aemilianus
125	Consulship of Fulvius Flaccus
123/122	Tribunates of C. Sempronius Gracchus
121	Murder of C. Gracchus and Fulvius Flaccus and their supporters
112	Outbreak of Jugurthine (Numidian) War
107	First consulship of C. Marius Transfer of Jugurthine War command from Metellus to Marius
105	Disastrous Roman defeat at the Battle of Arausio End of Jugurthine War
103	Third consulship of Marius First tribunate of L. Appuleius

Saturninus

100	Sixth consulship of Marius Second tribunate of L. Appuleius Saturninus Murder of L. Appuleius Saturninus and his supporters
91	Tribunate and murder of M. Livius Drusus Outbreak of First Roman Civil War
90	Tribunate of Q. Varius Severus
88	Tribunate of P. Sulpicius Transfer of Mithridatic command from Sulla to Marius Consuls (Sulla and Pompeius Rufus) march army on Rome Exile of Marius, murder of Sulpicius
87	Civil war between consuls Cinna and Octavius Cinna and Marius march an army on Rome Rome taken by siege, slaughter of key opponents
86/84	Rome ruled by Cinna, until his murder
83	Sulla invades Italy Massacre of senators suspected of Sullan sympathies
82	Battle of Colline Gate, Sulla rules Rome
81	Dictatorship of Sulla Constitutional reforms passed and enemies

proscribed

79	Sulla stands down
78	Death of Sulla
77	Civil war between consuls Lepidus and Catulus
73	End of civil war in Asia Minor
71	End of civil war in Spain
70	Consulships of Pompeius and Crassus Sullan reforms of the Tribune overturned End of the First Civil War

Notes on Roman Names

All Roman names in the text are given in their traditional form, including the abbreviated first name. Below is a list of the Roman first names referred to in the text and their abbreviations.

A.	Aulus
Ap.	Appius
C.	Caius
Cn.	Cnaeus
D.	Decimus
K.	Kaeso
L.	Lucius
M.	Marcus
Mam.	Mamercus
P.	Publius
Q.	Quintus
Ser.	Servius
Sex.	Sextus
Sp.	Spurius
T.	Titus

Ti.

Tiberius

THE MYTH OF THE GOLDEN AGE (C.508–146 BC)

Chapter One

Politics, Violence and the Evolution of the Republic (c.508–146 BC)

Given the descent of the Roman political system into bloodshed and ultimately civil war, it was only natural that the politicians and historians of the later Republic and early Empire saw the period before this descent as a ‘golden age’. Sallust famously stated that it was only when Rome destroyed Carthage (in 146 BC) that the rot set in:

‘For avarice subverted honesty, integrity, and other honourable principles, and, in their stead, inculcated pride, inhumanity, contempt of religion, and general venality. These vices at first advanced but slowly, and were sometimes restrained by correction; but afterward, when their infection had spread like a pestilence, the state was entirely changed, and the government, from being the most equitable and praiseworthy, became rapacious and insupportable.’¹

Yet, in order to understand the events that took place between 146 and 70 BC, it is important to briefly understand both the fundamentals of the Republican system and the evolution it had undergone in the previous 360 years.

The Key Elements of the Roman Republican System

The most obvious starting place for any analysis of the Roman political system is the Greek writer Polybius, who wrote a history of Rome (whilst in comfortable captivity) in the middle decades of the second century BC. Polybius’ work is not only the earliest surviving source for Republican politics, but was written in the decades prior to the first blood being split in Rome and as such is an invaluable source, albeit one which must be handled cautiously. Polybius famously digressed from his history (in book six) to present an analysis of the Republican system (as he sees it) presumably to a Greek audience.

‘As for the Roman constitution, it had three elements, each of them possessing sovereign powers: and their respective share of power in the whole state had been regulated with such a scrupulous regard to equality and equilibrium, that no one could say for certain, not even a

native, whether the constitution as a whole was an aristocracy or democracy or despotism. And no wonder: for if we confine our observation to the power of the Consuls we should be inclined to regard it as despotic; if on that of the Senate, as aristocratic; and if finally, one looks at the power possessed by the People it would seem a clear case of a democracy.¹²

For Polybius the Roman Republican system was a perfect balance between three key elements: the Senate, the Consuls and the People, each embodying one of the three main forms of government (as understood by the Greeks). However, given that Polybius was a Greek hostage, who had seen Rome destroy and conquer the Greek states and kingdoms in less than sixty years, his analysis of Rome was hardly likely to be anything less than wholehearted praise. The Romans themselves famously saw the Republic in terms of SPQR (*Senatus Populus Que Romanus* – the Senate and People of Rome). In the later Republic, we also start to hear of the term *res publica*, which can be translated as the ‘public good’ or the ‘good of the state’. Nevertheless, Polybius did identify the three main elements of the Republican system: the Senate, the Magistrates and the People.

The Senate

One of the most common misconceptions about the Senate is that it was equivalent to a modern parliament with law-making powers, but this is not the case. The Senate was an assemblage of the most august men in the Republic (usually around 300 in number) representing those of noble birth, influence and wealth, most of whom were former magistrates. By the second century BC, admission was via the censors, who every five years would revise the list of senators, removing those deemed unworthy (in their eyes) and enrolling new men. By this period, senators could come from patrician or plebeian families (see below), the only difference being whether you were descended from one of the original senatorial families or not.

The Senate’s role was that of an advisory body, composed of supposedly the greatest men of the state, who would advise the magistrates. The Senate had oversight of the annual designation and allocation of military commands for the magistrates, foreign policy and the state’s finances. Although the Senate could not pass laws, it was able to issue senatorial decrees (*senatus consulta*) which were not legally binding, but did carry moral authority and in normal circumstances were obeyed. Though there were no official parties,

throughout its history the Senate was divided into various political alliances, based on either political outlook, family connections or a mixture of both; alliances which changed with each generation.³

The Magistrates

4

These were elected on an annual basis by the People in an assembly (see below). By this period in the Republic there were numerous magistrates elected; the consuls, praetors, aediles, quaestors and tribunes being the main ones. The most senior annual magistrates were the consuls, of whom two were elected each year. Both consuls were of equal power and this duality was supposed to prevent one man from being dominant, supposedly originating in the removal of the last king and desire to prevent another tyrant. The consul held supreme military and political power with the ability to command armies and propose legislation. Though the office was an annual one, the Senate could grant the holder pro-consular command; the same military powers to be held after the office, usually in order to continue a military campaign to a conclusion.

Beneath the consuls were six praetors (deputy consuls) each with an allocated sphere; either the city of Rome or the command of a province. They too could command armies and propose legislation (though this was little used in practice).⁵ Next came the aediles (which alternated between two and four each year), who had various civic functions. Below them were the quaestors, who were administrators either in Rome or the province and had responsibilities for finance. Any aspiring Roman politician would work their way through these offices usually after a period of military service, most commonly starting in their late twenties and culminating (they hoped) in a consulship in their early forties.

The plebeian tribunate represented something different; the office originated in the struggle between the patrician and plebeians (see below) and could only be held by plebeians, though by this period of the Republic that could be both rich senators and ordinary citizens (see [Appendix Two](#)). Ten tribunes were elected each year and the office had a range of domestic powers, which can be broken down into five areas: legislation, prosecution, vetoing of official actions, protection of the individual and religious sacrosanctity.

Along with the consuls and praetors, the tribunes had the right to propose laws (*plebiscita*) to the Assemblies of the People and in

practice, by this period of the Republic, the bulk of legislation was proposed by tribunes, especially as there were ten of them and they could not leave the city for their year of office. Tribunes also possessed the right to launch prosecutions before the People. By this period of the Republic the tribunate possessed two powers of veto.

The first was the ability to veto official actions (such as proposed laws); this was referred to as the power of *ius intercessio*. All that was required was for one of the ten tribunes to officially state that they were using their veto and the action could not proceed, until that tribune agreed (and removed their veto) or their year in office expired. The second power was that of *ius auxilium*, the right to physically intervene to protect a person from official action. Tribunes had religious sacrosanctity for their year in office and no one was allowed to physically interfere with them on threat of religious sanction. The tribunate was not formally part of the official *cursus honorum* (the political career path), as it was technically still a plebeian office and not open to all the People, though all aspiring plebeian politicians did hold it.

The People

In this period, the People of Rome referred to Roman citizens only. Originating in the revolt of the Latin allies (341–338 BC), Rome introduced a system of differing levels of citizenship for all the peoples of Italy. The highest level was that of Roman citizen, regardless of your ancestry or where you lived. If you had Roman citizenship, then you had the right to participate in assemblies and vote for legislation and in elections (though it had to be in person in Rome itself). You also had the right to a trial when accused of a crime, which protected you from arbitrary punishment. Citizenship also came with responsibilities, most notably the requirement to serve in Roman armies should you be called up and, at one time, the requirement to pay taxes. Roman citizens were also divided up into sub-groups based on wealth, originally based on what military equipment you could afford. The lowest level, the *capite censi* were not eligible for military service.

Citizenship was inherited from your father and could also be bestowed by the Senate and the censors. Every five years a fresh census of Roman citizens was taken and by this period Roman citizens could be found throughout Italy and in Rome's overseas provinces. By 146 BC there were 322,000 registered Roman citizens in Italy and the

empire. There were two grades below Roman citizenship: Latin status and Italian status. Both meant that you were unable to vote in the Roman Assemblies (see below) though you could in your own home town or region and both carried fewer rights in terms of Roman justice and punishment. Again, these levels of citizenship carried the requirement to fight for Rome, but in allied contingents rather than as part of the Roman army, with call-up depending on the local arrangements of your home city or region.

There were several ways in which citizens could be organised officially, the most common of which were by tribe and by century. This reflected the two main Roman Assemblies of the People: the *Comitia Tributa* (Tribal Assembly) and the *Comitia Centuriata* (Centuriate Assembly).⁶ The actual origins of each Assembly are much debated and not clear from the ancient sources, nor is their evolution over the hundreds of years to the point we see them in this period of the Republic.⁷ Nevertheless both Tribal and Centuriate Assemblies were in use in this period of the Republic simultaneously and were used primarily for both the election of magistrates and the passing of legislation and could be called and presided over by a number of Rome's magistrates.

In the Tribal Assembly, the Roman citizens were divided into thirty-five tribes. The tribes originally had a geographical basis (in Rome and its immediate environs) but by this period, all citizens throughout Italy and the provinces were allocated to one of the tribes, which produced a number of numerical disparities, with each tribe varying in size to another. Yet regardless of how many citizens were in each tribe, when it came to voting (in elections or for legislation) each tribe only carried one vote and a decision was reached when a simple majority of eighteen tribes had been achieved. Thus, if the first eighteen tribes all voted in a certain way, the other seventeen did not even get to vote.

In the Centuriate Assembly, the Roman citizens were originally divided into 193 centuries, based on the wealth sub-classification of the Roman citizenship and what role they would have played under the old Republican military system; i.e., what armour and equipment they could afford, though this had long lost any practical application in second century BC Rome. At some point in the mid-third century (c. 241 BC) the number of centuries was reformed, though the ancient sources are unclear and modern commentators have not reached a consensus.⁸ Nevertheless, regardless of the number of centuries the

format remained the same and again, this meant that the centuries did not hold even numbers and as with the Tribal Assembly each century only carried one vote and a decision was reached when a simple majority of centuries had been achieved. Furthermore, in this Assembly the richest citizens would be in the highest ranked centuries and thus would vote first.

Both Assemblies could elect magistrates and pass legislation; consuls and praetors were elected in the Centuriate Assembly, whilst tribunes were elected in the Tribal Assembly. In theory both Assemblies could be used to pass legislation, but the ease of thirty-five tribes voting (as opposed to 193 centuries) meant that the Tribal Assembly was the main one for passing legislation in practice. Key to both Assemblies was the fact that you had to turn up in person to vote. This meant that it was easier for the men of the Rome itself to attend and vote than it was for the rural populace, a division which was to play a significant part in the events in the period under discussion. Therefore, it meant that only a small number of eligible voters could afford to leave their work or farms and be physically present.

This duality of Assemblies was reflected in the two different types of law in Rome: the *lex* and the *plebiscitum*. Originally the *lex* was a law passed by a consul (and later a praetor) and affected the whole population of Rome, whilst a *plebiscitum* was a law passed by a tribune and only affected the plebeian order. By this point of the Republic, the difference was only a technical one with both types applying to the whole Roman populace. In the ancient sources the terms become interchangeable.

However, we must understand that by the point that Polybius was describing the Republican system, it had been in place for over 350 years and had been constantly evolving throughout this period. To understand the period that was to follow we must briefly acquaint ourselves with this process of evolution and understand that conflict lay at the heart of the Republican system.

Political Reform in the Dark Age (508–449 BC)

The Roman Republican system was borne out of conflict, when the aristocracy overthrew the monarch in a revolution. Although we have a number of surviving accounts of this revolution, the problem we have is that they all date from the late Republic or early Empire,

(some 500 years after the events themselves), and all suffer from the same lack of historical perspective in that they are all written from a 'modern' perspective. Thus, the events that are depicted are set in a tone which Romans of the late Republic would understand, and there is no sense that Rome in 500 BC was any different from Rome in 31 BC. Today we understand that 500 years ago, society was quite different, even though many of the institutions of today were present then and bear the same name (such as a monarch and a parliament). Furthermore, after 500 years Rome had developed an agreed narrative of events, an 'official history' as it were, of what took place and why. Finally, we have the issue that the Romans had no reliable dating system for the early Republic, which created a number of issues when later historians tried to create an official version of events.⁹

Nevertheless, despite all these issues we can construct a broad narrative of events. What we do know is that at some point in (what now equates to) the late 500s BC the last king of Rome, L. Tarquinius Superbus, was overthrown in what appears to have been a palace coup against the absent king,¹⁰ engineered by a number of his close relatives.¹¹ Later Roman history chooses to centre this political upheaval on a very dramatic story of the rape (and subsequent suicide) of a Roman noblewoman named Lucretia (wife of L. Tarquinius Collatinus, the king's cousin) by Sex. Tarquinius, a son of the king.¹² Whether this human drama ever took place is open for debate, but it seems that the monarchy was abolished. What replaced it is open to question. The official version states that two consuls of equal power were elected annually, though there is much evidence to suggest that this was not the case and that several magistrates may have ruled Rome (possibly named praetors), one of which may have been the Praetor Maximus, an office of superior rank.¹³

What followed is a confused picture as the various accounts (from a much later period) have at least five different consuls holding power during the first year of the Republic, at least two of whom were killed.¹⁴ We are made aware of a counter plot by more of the king's relatives (including Brutus' sons) to restore the Tarquin monarchy, which apparently resulted in Brutus' execution of his own sons. The king subsequently attacked Rome with an army from one of his allies (the King of Clusium), but according to the 'official' version of events, the siege of Rome failed and the king died in exile. A variant tradition survived which has Rome being conquered by the King of Clusium (Lars Porsenna).¹⁵ Cornell provides the finest analysis of these events

and the various possibilities.¹⁶

Fundamentally, whatever its origins, the new Republic was controlled by a handful of Roman families or clans (the Roman *gens*) each of which originally seems to have had its own private military forces. The body where they were all represented was the Senate, which was the former advisory body to the king and now the main body where the senior members of the various Roman families or clans gathered. These family or clan elders adopted the term patrician (from the Latin *patres* for father) and thus were the ‘fathers of the state’, though the Roman state at this point was the city of Rome and some territory surrounding it.¹⁷ In the early days it seems that the ruling families admitted fresh blood into their patrician order if the family was rich or powerful enough, though very soon this practice stopped and the patriciate became a hereditary order, passed down by descent. It is unclear whether magistrates were actually elected by an assembly of the families or clans, or simply appointed.

However, very quickly the control of the Republic by these family or clan elders was challenged by a body known as the plebeians. Unfortunately, there is no clear concept of just who these plebeians were in the fifth century BC. Various arguments have been made that they were descendants of a different group of settlers, an urban-based merchant or artisan guild, or simply anyone who wasn’t a patrician.¹⁸ What is known is that this order had prospered under the kings of Rome but felt disenfranchised when the ruling families or clans seized power. Matters came to a head just over a decade after the kings were overthrown (fixed at the year 494 BC by later historians), in an event that came to be known as the Secession of the Plebeians. The plebeian order withdrew from Rome, and set up a rival settlement on the Aventine Hill (next to, but not part of the old city of Rome).

The surviving narratives we have of this event portray it as being a peaceful one, though this may not have been the case at the time. The plebeians developed their own assembly – the Plebeian or Tribal Assembly – and chose their own magistrates (to rival the praetors/consuls); these were the plebeian tribunes and the plebeian aediles.¹⁹ The result of this power struggle between these two orders (patrician and plebeian) was that the plebeian order returned to Rome, but continued to operate a parallel system of magistrates (tribunes and aediles), meetings (Plebeian/Tribal Assembly) and had the ability to pass rules that all only applied to the plebeians (*plebiscita*), as opposed to the official *leges* issued by the praetors/consuls. Both *plebiscita* and

leges are translated as laws, but it is doubtful that they had the same meaning in early Rome, especially given the lack of a formal constitution or law code.

The original number of tribunes is disputed, but the official versions of their history started with two tribunes in 493 BC, rising to five in 471 BC and then ten in 457 BC, after which their number remained at ten throughout the Republic. Again the official histories have their powers agreed by the Senate with a veneer of constitutional process, though some lesser sources record that the original tribunes were armed and were accompanied by a bodyguard of slaves²⁰ and thus it was probably more the case that the plebeian magistrates relied on the threat of collective plebeian violence to advance plebeian interests, which were mainly centred on food shortages, economic recession and the issue of debt.

Even though later Roman historians viewed this period of the Republic in constitutional terms, there was no codification of the laws and no formal statement of the powers of the state or its regulations. It probably helps if we think of Rome in this period not as a state ruled by elected magistrates, with senatorial debates and laws being passed, but a tribal society run by clan elders and their family retainues, more akin to Dark Age Europe. The first steps towards a formalization of the Republic came in 451 BC (by later calculation) when the Senate agreed to appoint ten men (decemvirs) to codify the rules which governed the Roman state and formalize the system of governance and magisterial powers.

After two years, these decemvirs seemed reluctant to give up their office leading to another political upheaval when the other family or clan elders and plebeian leaders united to overthrow them. Again, the later 'official' Roman histories centred this dispute on the attempted rape (and murder) of another noblewoman (Virginia). When the dust settled though, the decemvirs had been removed from power and the Republic had the Twelve Tables, which codified the rules which had governed Rome into twelve areas of law, the foundation of the constitutional Republic. In place of the decemvirs, new praetors/consuls were elected (L. Valerius and M. Horatius) who passed the Valerio-Horatian Laws.²¹

These laws were in addition to the Twelve Tables and created a number of political reforms. Firstly, they re-established the Tribune of the Plebs and in effect gave it official recognition as a formal office, along with state religious sacrosanctity, making the office holder a

sacred person for his year in office and thus could not be physically restrained or harmed. Secondly the *plebiscita* (laws) passed by the tribunes and the Tribal Assembly were given official recognition for the first time and could be binding on the whole People, not just the plebeians, subject to some (much disputed) restrictions. Thirdly there was a law establishing or re-establishing the right of *provocatio*, a citizen's right of appeal to a magistrate's decision. The law also established formal process of record keeping with all Senatorial decrees stored by the plebeian aediles along with an inscribed version of the Twelve Tables being set up in bronze in the Forum.

Political Reform in the Age of Struggle (449–367 BC)

For the next hundred years, Rome faced a series of internal and external struggles which tested the new Republic to the limit. In terms of external struggles, there were long wars with her neighbour Veii, which was finally conquered c.396 BC. More importantly, there was the infamous Gallic sack of c.390 BC when an invading Gallic army marched from northern Italy, defeating the Romans army at the Battle of Allia and sacking Rome itself (though the extent of the damage is much debated).²²

In terms of internal struggle, the main one was between the patricians and plebeians; most commonly referred to as the 'Struggle of the Orders'. Throughout this period the key issues were both practical: access to land, food shortages, military service and debt and political; and access to high office and the law-making process. Yet the plebeian order was not a homogenous one and we can see that the concerns of the richer plebeian families (political access) differed from the poorer plebeian citizens (hunger and debt). We can also see that the richer plebeians were intermarrying with the Patrician families, beginning the journey to a unified patrician–plebeian aristocracy, which we see in the later Republic.²³ Yet representing both sets of interests were the tribunes, who themselves seem to have been composed of both richer and poor plebeians. This meant that soon aristocrats were holding the tribunate, with the office coming to reflect the dual nature of the plebeian order itself.

As early as 486 BC we hear of bloodshed breaking out in Roman politics, centred on the mysterious figure of Sp. Cassius. Cassius seems to have been one of the consuls (praetors), though later sources have

him as a tribune to better fit the narrative of tribunician reform and violence.²⁴ Cassius is reported to have introduced Rome's first agrarian legislation, a bill to distribute captured Italian lands (Roman public land – *ager publicus*) to the plebeians of Rome. He was opposed by the Senate and his consular colleague and soon tried and executed, on a charge of attempting to overthrow the Republic, becoming the first known casualty of political violence not connected with the overthrow or restoration of the monarchy. Furthermore, there is a fragment of Festus which refers to a tribune (P. Mucius) burning his nine colleagues for conspiring with Sp. Cassius.²⁵

In terms of political evolution, the year 445 BC (according to the official histories)²⁶ saw a new chief office introduced; the Military Tribunes with Consular Powers or Consular Tribunate for short. There does not seem to have been a set number elected each year (usually between three and six) and the office was apparently open to plebeians, though few are recorded.²⁷ The official history of the Republic is a confused one on this area and has years where consuls are still elected alternating with these consular tribunes, perhaps reflecting the various differing traditions about this period.

The year 439 BC saw another alleged coup plot by a member of the ruling order to overthrow the Republic. At the centre of the alleged coup plot was the figure of Sp. Maelius, an equestrian who apparently used his wealth to buy large amounts of corn and distribute them to the plebeians during a time of famine. Such largesse built him a popular following amongst the People, yet he held no formal elected office. Naturally enough the Senatorial elite became worried and accusations were made that Maelius was planning on overthrowing the Republic and establishing a tyranny. Livy even reports rumours that the tribunes had been bribed by Maelius to support his cause. The Senate was apparently so concerned that they appointed a dictator (L. Quinctius Cincinnatus) to oversee this potential crisis.

A showdown between Cincinnatus and Maelius in the Forum led to a violent scuffle during which Maelius was murdered by the Master of the Horse (the dictators' deputy), C. Servilius Ahala. Therefore, we have a case of a popular Roman politician being murdered in the Forum by a senior Roman magistrate, with the issue of plebeian food shortages at the heart of it. Just three years later (in 436 BC) we find another Sp. Maelius as a Tribune of the Plebs, who took up the cause of his murdered relative (the relationship is unknown) and proposed a law (*plebiscitum*) to confiscate the property of Ahala for murdering a

Roman citizen without trial. We can see that even at this early stage of the Republic, we find violence and bloodshed and political retribution as elements of the Republican system.

This whole issue confirms that whilst the richer elements of the plebeian order were more concerned with access to high office, the main issue for the ordinary plebeians seemingly was security of food and relief from debt, with regular clashes between tribunes and the Senate recorded over the debt issue. Matters seem to have come to a head in c.384 BC when M. Manlius Capitolinus (Cos. 392 BC), the hero of the Gallic siege of Rome (and a patrician), was convicted and executed for attempting to enact a coup using popular support and the issue of debt. Thus, we have the third death of a Roman politician accused of using popular issues and reforms to overthrow the Republic.²⁸

This was soon followed by another political upheaval; a clash between a faction of the plebeians led by two tribunes, C. Licinius Stolo and L. Sextius Sextinus Lateranus, and a number of their colleagues backed by the Senate. This dispute apparently lasted from 376 to 367 BC with the two men (and possibly their unnamed colleagues) being elected tribune every year, and also preventing any other magistrates from being elected, though for how long is disputed.²⁹ This dispute culminated in the Sexto–Licinian laws of 367 BC which were another major set of political reforms passed by the plebeians and accepted by the patricians.

The most important of these constitutional reforms was the establishment (or re-establishment) of the consulship as Rome's chief office and many argue that it was only now that the consulship was created for the first time. Furthermore, one of the provisions of the law stated that plebeians were eligible to hold the office. From this year onwards, there would only be two consuls, supported by a supposedly new office (in the official version), the praetor. Originally there was one praetor elected each year, to lighten the burden on the consuls, though clearly a junior rank. Two new aediles were created, called curule aediles, which mirrored the plebeian aediles and were originally open only to patricians, though this restriction was soon dropped.

Aside from constitutional matters the laws also tackled the issue of debt and land, with a law regulating interest on debt payments and another limiting the ownership of public land (*ager publicus*) to 500 iugera. Public land was land owned by the Roman state, confiscated

from defeated enemies and farmed on a rental system by Roman citizens. It was to play a large part in the troubles of the Gracchan tribunates (see Chapters Two to Four).

Political Reform and the Merging of the Orders (366–287 BC)

Tribune L. Sextius Sextinus Lateranus (officially) became the first plebeian to hold the consulship (366 BC), whilst his colleague supposedly was prosecuted under his own law for holding too much public land (*ager publicus*). These laws were soon followed up by further political reforms, mostly passed at the hands of tribunes. In 342 BC, the tribune Genucius passed a law which stated that one consul a year must be plebeian, thus establishing a balance between the two groups which was to last for the rest of the Republic. With one patrician and one plebeian elected as consul each year, the way was open for the plebeian elites to fully merge into Rome's ruling order and thus whilst the elite families of Rome became unified, the plebeian order was actually split, with its leadership finding common cause with the patricians. Furthermore, access to the consulship would not be of concern to the vast majority of the plebeian order, whose concerns were far more grounded in land, food and money.

Nevertheless, the constitutional reforms continued apace. The year 339 BC saw a plebeian elected as dictator (Q. Publilius Philo), who used his office to pass more reforms. The most important ones concerned the status of the Plebeian laws (*plebiscita*) which again made them binding on the whole Roman People and ensured that the Senate's authorisation of a law (*patrum auctoritas*) was granted before the vote was taken, not after, thus removing a senatorial block on popular legislation, though some form of authorisation was still required. There was also a law stating that one of the censors must be a plebeian as well.

Further tribunician – inspired reforms followed, including the *lex Ovinia* which formalized senatorial membership and placed it in the hands of the censors³⁰ (of whom one must be a plebeian) and the *lex Ogulnia* of 300 BC which opened up the priestly offices to plebeians. However, once again these reforms were constitutional ones, and ones which would not have helped the problems being faced by the ordinary plebeians. Matters seem to have come to a head in c.287 BC when the ordinary plebeians revolted once more and staged another

secession from Rome. Unfortunately, we have few details of this event, but a dictator was appointed, Q. Hortensius, who passed a number of measures to address the plebeian concerns.³¹

One of the most important reforms Hortensius seems to have passed was the freeing of tribunician legislation from any form of senatorial approval. Thus, the Plebeian/Tribal Assembly and the tribunes could propose and pass any law they wished which affected the whole state. Most ancient and modern commentators date the end of the Struggle of the Orders between patricians and plebeians to this date, though the struggles of the ordinary plebeians and their day-to-day problems (of food and money) would continue.

In terms of external affairs, this period saw a pivotal war between Rome and her Latin allies, who launched a rebellion against what they saw as growing Roman rule (341–338 BC). As a result of the Roman victory, the Latin League, of which Rome was the head, was dissolved and in its place Rome instituted a series of bilateral alliances between Rome and each Latin state, which brought in the fundamental Republican building blocks of the differing grades of citizenship (Roman and Latin) and the treaty obligations to supply Rome with allied troops to fight in her wars, the foundation of all of Rome's later imperial success, both within Italy and externally. Within just fifty years, Rome had annexed all of central Italy and expanded south towards the Greek states of southern Italy.³²

Political Reform and the Age of Expansion (287–219 BC)

With the loss of Books Ten to Nineteen of Livy, we lose our main narrative source for domestic politics, which has led many to conclude that Roman politics became settled, following the Horatian legislation of 287 BC. We are aware that there was major reform of the Comitia Centuriata c.241 BC though the details are far from clear.³³ We do however have a very interesting clash between the tribunate and the Senate over the issue of land distribution in 232 BC. The tribune in question was C. Flaminius and he apparently proposed laws to distribute public lands (*ager publicus*) captured from the Gallic tribes in the recent Gallic Wars. We are told that he clashed with the Senate over this matter and overrode their opposition, though exact details are few and the later the Roman source the greater the clashes become.³⁴ Many later Roman historians drew a parallel between

Flaminius' law, and his struggle with an obstructive Senate, and those of Ti. Sempronius Gracchus a century later (see [Chapter Two](#)). Interestingly Valerius Maximus refers to the Senate making threats against Flaminius and levying an armed force against him, though this may well be a later exaggeration.³⁵

In terms of external affairs, this period saw a series of pivotal and legendary wars against the Gallic tribes (284–283 and 225–222 BC) for control of northern Italy, against Pyrrhus for control of southern Italy (280–275 BC), the Carthaginians for control of Sicily (264–241 BC) and the Illyrians for control of the Adriatic (229–218 and 219 BC).³⁶

Political Reform, Violence and the Second Punic War (218–201 BC)

With the resumption of the Livian narrative (in 218 BC) we have a detailed record of Roman domestic politics. Almost immediately we are told that a tribune (Q. Claudius) passed a law which limited senators' involvement in trade (by limiting the size of ships they could use). Interestingly, Livy reports that the sponsor of the law was none other than C. Flaminius himself (also a senator), who used the law to supposedly gain favour with the People and win himself a second consulship (for 217 BC).³⁷ Naturally enough the sources for this period are focussed on the details of the Second Punic War, but by 212 BC we hear of violence being used in a clash between the tribunes and the equestrian businessmen, one of whom was charged with fraud for sinking old ships and claiming from the state for the losses. When the Senate discovered this they apparently attempted to hush it up, so as not to create divisions in a time of warfare. Two tribunes (Sp. and L. Carvilius) brought the man to trial, but this was interrupted by a group of other equestrian businessmen rushing into the crowd and scattering the People and the tribunes. Livy even states that 'there was every prospect of a hand-to-hand fight.'³⁸

'There was nothing to restrain men from fighting and bloodshed except the forbearance of the magistrates, who for the time being yielded to the furious audacity of a few men and allowed themselves and the Roman people to be successfully defied.'³⁹

'The Senate passed a decree affirming that "that violent conduct was an offence against the Republic and set a most vicious precedent."⁴⁰

The Assembly was abandoned, but the tribunes changed the charges from fraud to treason (for the disruption), and charged a number of the other equestrians involved. Livy reports that most apparently chose exile rather than face the charges. Thus we can see that a minor case of fraud erupted into violence in the Assembly, accompanied by (what may be anachronistic) warnings of violence and bloodshed. However, it does show that Roman politics could turn violent, even in a time of national threat.

A further interesting incident occurred in 204 BC when the Senate launched an investigation into charges made against P. Cornelius Scipio 'Africanus' himself; the result of this was that two tribunes (M. Cincius Alimentus and M. Claudius Marcellus) were asked to leave Rome (which tribunes were usually not allowed to do) and accompany a senatorial delegation to Sicily. Furthermore, the tribunes were apparently there to provide the group with the religious authority to arrest Scipio if necessary:

'A Plebeian Aedile was assigned to them so that in case Scipio refused to obey the Praetor or had already landed in Africa, the Tribunes might, by virtue of their sacrosanct authority, order the Aedile to arrest him and bring him back with them.'⁴¹

We can see therefore that even the great Scipio himself, on the eve of his invasion of Africa, had to deal with a senatorial investigation into his conduct, and a delegation accompanied by two Tribunes of the People, asked by the Senate to leave Rome. At this point we only have one previous example of this happening.⁴² The following year saw a further clash between a tribune (Cn. Baebius Tamphilus) and the censors of the year.⁴³ Thus we can see that despite the major war with Carthage, the cut and thrust of Roman domestic politics remained.

In fact, it was the tribunes who ended the war with Carthage, when in 201 BC two tribunes (M. Acilius Glabrio and Q. Minucius Thermus) first opposed the consul Cn. Cornelius Lentulus, in his push to be declared commander in Africa, where he hoped to replace Scipio and continue the war, and then finally passed a law (*plebiscitum*) on whether there should be peace with Carthage.⁴⁴

Political Reform in the Age of Imperialism (201–167 BC)

The end of the war with Carthage saw further clashes between the tribunate and the Senate, this time over the proposed war with

Macedon. In an unprecedented move, the Assembly (led by the tribune Q. Baebius) refused to formalize the Senate's decision to declare war on Macedon, the Senate only having an advisory role. As in all such matters where the People refused to vote the way the political elites decreed, the Senate once more posed the question to the People and this time were successful.

In a period dominated by wars in northern Italy and Greece and eventually Asia Minor, thanks to the surviving books of Livy we have numerous details as to domestic political clashes. The 190s saw a number of similar themes, usually involving the tribunes. Firstly, there were clashes over the awarding of triumphs and *ovatio*s (lesser triumphs), which happened in 199, 192 and 191 BC. Tribunes intervened over choices of candidates for elections and the various military commands in 198, 197 and 196 BC, and 195 BC saw a split amongst the Tribunician College when two tribunes supported the abolition of a sumptuary law (one on extravagant spending) whilst two opposed them.

The years 189–187 BC seem to have been dominated (in domestic politics) by issues of citizenship. 189 BC saw an important piece of reforming legislation, when a tribune (Q?) Terentius Culleo passed a law (*plebiscitum*) affecting Roman citizenship, and laying down guidelines for the censors:

‘and received into citizenship all who offered themselves for enrolment, provided they were born of free parents. To this step they were forced by the Tribune Terentius Culleo, who wanted to spite the nobility and so persuaded the People to vote the measure.’⁴⁵

Thus the People (in the Assembly), guided by a tribune, were able to issue orders to the censors over who they should admit into the citizenship lists, including the sons of freedmen. This was followed in 188 BC with a *plebiscitum* granting the city of Arpinum full Roman citizenship. Both measures allow us to see the power of the Assemblies (and of the tribunes) in major constitutional issues such as citizenship. 187 BC saw a praetor (the same Terentius Culleo) expel 12,000 Latins from Rome and send them back to their native towns. This was the first of many such expulsions, with the Romans seemingly worried about Latin citizens drifting to Rome and claiming citizen rights (presumably including voting in the Assemblies). We can see that the Roman political elite, backed by the Roman urban populace, can be seen to be exercising a policy of ‘Rome for the Romans’.

The year 187 BC also saw domestic politics dominated by the trial

of L. Cornelius Scipio 'Asiaticus' (brother of Africanus) on a charge of corruption whilst holding the consulship (and command of the war in Asia). Interestingly, we hear of four tribunes (two on each side of the argument), and both pairs were from the same family. Thus, the two Mummii (L. and Q.) vetoed the proposed investigation of Scipio, proposed by two Petilii (Q. and Q.). Thus, we can see that the tribunate could be used to bring major Roman politicians to trial and could be dominated by family pairings in the same year.⁴⁶

The following year was dominated by the Bacchanalian affair, a curious incident in which the normally religiously tolerant Roman elite launched a persecution of the followers of Bacchus throughout Italy. The event is noted for the seeming overreaction of the Roman elite to a conspiracy theory, combined with a major expansion of their remit into the domestic affairs of the Italian peoples, previously not a Roman concern.⁴⁷ The year 184 BC seemingly saw a fresh political clash between the Scipio brothers (Africanus and Lucius) and their enemies, with another split within the Tribunician College.⁴⁸ Interestingly, one of the tribunes acting on behalf of the Scipios was a certain Ti. Sempronius Gracchus (father of the two tribunician brothers), who married Scipio Africanus' daughter.⁴⁹

The year 180 BC saw another major tribunician-sponsored reform law, the *lex Villia Annalis*, which regulated the holding of all Roman magistracies.⁵⁰ For the first time this law (*plebiscitum*) regulated the minimum ages for each official magistracy of state (though not the tribunate) and the minimum gap between offices. Thus, not only was custom and practice being replaced by legislation, but the offices of state were being regulated by the People (and the tribunes).

Details on Roman domestic clashes are fewer for the 170s BC though we do hear of an inter-tribunician clash over the recall of a military commander in 177 BC. Livy preserves an interesting detail about the year 173 BC, when the Senate instructed one of the consuls (L. Postumius Albinus) to investigate the illegal possession of public land (*ager publicus*), land owned by the Roman state, usually confiscated from defeated Italian peoples in war:

'Before the magistrates left for their provinces the Senate decided that L. Postumius should go into Campania to fix the boundaries between the state land and the land in private occupation. It was a matter of common knowledge that persons had appropriated a large part of the state domain by gradually advancing their boundaries.'⁵¹

In itself the event is not a major one, but when taken in conjunction

with the reforms of Ti. Gracchus in 133 BC, and the ensuing chaos that it caused, it is interesting to see the Senate concerned with this issue some forty years earlier (see [Chapter Two](#)). The year also saw another colonisation programme by the Senate, with lands distributed in Liguria and Gaul. The following year 172 BC saw another tribunician intervention on the issue of public land, with the tribune M. Lucretius proposing a law (*plebiscitum*) ordering the censors to distribute public land in Campania held illegally by private landowners. Again, we see tribunes (via the Assembly) issuing orders to the censors and touching on the issue of public land (*ager publicus*).

The same year also saw a clash between two tribunes (Q. Marcius Scylla and M. Marcius Sermo) and the consuls, with the tribunes threatening to prosecute the consuls if they did not leave Rome and take up their provincial commands. The following year saw another inter-tribunician clash; this time over the burden of the military levy, with two tribunes taking up the case of several veteran centurions who were objecting about the burden of military service, another theme which occurs during the tribunate of Ti. Gracchus in 133 BC (see [Chapter Two](#)).

The year 169 BC saw yet another clash between Tribunes and Censors, with the Tribune P. Rutilius actually prosecuting the two censors for their harsh revision of the Senate list. They in turn retaliated by reducing his status in the citizenship ranking, going so far as to remove him from his tribe. This clash between censors and tribunes continued into the following year (168 BC) when another tribune (Cn. Tremellius) vetoed an attempt to extend the term of the aforementioned censors.

The year 167 BC is the last of the ones for which we have Livy's narrative, but it importantly contains details of a clash between the tribunes and a praetor (M. Iuventius Thalna) over the latter's attempt to have the Roman People declare war on Rhodes. Again, formal declarations of war were a matter for the People and in this case the tribunes vetoed the praetor's attempt to have the People declare war on a Roman ally.

Political Reform and Political Clashes (167–146 BC)

The year 167 BC is the last year covered by the surviving books of Livy's history (Book Forty-five – see [Appendix Three](#)). Following this

year, we have no surviving narrative for events, whether they be military or domestic politics, but have to rely on piecing together snippets from other works. Consequently, our details on domestic political clashes and reforms are limited. 161 BC saw a consul (C. Fannius) pass a sumptuary law limiting the amounts that could be spent on public and private banquets and within this period can be placed the law (*plebiscitum*) of the tribunes Aelius and Fufius, which laid down regulations for the days when Assemblies could be held for legislation and elections.⁵²

The year 151 BC saw a notable clash between the consuls and an unknown number of anonymous tribunes over the military levy and the burden it placed on the recruits. The clash ended with the consuls being arrested and jailed by the tribunes:

‘when Consuls Lucius Licinius Lucullus and Aulus Postumius Albinus recruited their army with great strictness and favoured no one with an exemption, they were imprisoned by the Tribunes of the Plebs, because they were unable to obtain exemptions for their friends.’⁵³

Thus, we have Rome’s supreme magistrates being arrested and thrown into jail by an unknown number of tribunes over an issue of military recruitment, showing both the power of the tribunes and the explosiveness of the issue of military recruitment. The last notable reform of this period came in 149 BC and concerns an important tribunician law (*plebiscitum*) on judicial matters, when a tribune (L. Calpurnius Piso Frugi) passed a reform establishing Rome’s first permanent court to try magistrates accused of corruption.

Summary

Even with this broad sweep through 350 years of Roman politics we can see that violence and bloodshed were not unusual. Even aside from the violence surrounding the Republic’s foundation, we can see that there were at least three Plebeian Secessions (494, 449 and 287), one (temporarily) successful coup (451–450) and three Roman politicians executed or murdered for making popular reforms and being accused of aiming to overthrow the Republic (486, 439 and c.384). The three who were killed (Sp. Cassius, Sp. Maelius and M. Manlius) were all involved in making popular reforms: land distribution, subsidised grain and debt relief.

Away from the bloodshed of the early Republican period, and even with a fragmented set of sources for domestic politics, we can see

ongoing clashes between the tribunes and the Senate all the way down to the period of the Third Punic War. Reform measures were proposed, senatorial decisions were challenged and political scores were settled. At the centre of almost all those who clashed was the office of the Tribunes of the Plebs. As we have seen the tribunate was no longer simply an office of the plebeian order, something separate to the senatorial elites, but was held by a mixture of men, from both the plebeian aristocracy and the commoners. Thus we are able to paint the clashes between the tribunes and the Senate in two ways; we can see them as being clashes between the People and the Senate (the ruling elites) or as being simply a clash between different elements of the senatorial order, merely using the People in their power struggles.

REFORM AND MURDER IN ROMAN POLITICS (146–120 BC)

Chapter Two

From Reform to Murder: The Origins of the Bloodshed (146–133 BC)

The year 146 BC marked a watershed for the Roman Republic. The successful conclusions to simultaneous wars in Greece (against Macedon and then the Achaean League) and in North Africa (against Carthage) saw Rome emerge as the dominant power in the Mediterranean. Macedon, Carthage and mainland Greece were annexed into the Roman empire, with the cities of Carthage and Corinth being obliterated from existence. Yet Rome's dominant position proved to be something of an illusion, as Rome became bogged down in drawn-out wars in the west and north against the European tribes, suffering a number of defeats over the years, especially in Spain with the Lusitanian War (154–138 BC) and the Numantine War (143–133 BC).

Furthermore, increasingly the threat to Roman security came from within Rome itself rather than from external enemies. As we have seen, the Roman political scene had always been one of robust political conflict, yet within just over a decade of these stunning military triumphs, bloodshed broke out on the streets of Rome itself, ushering in a cycle of violence that was to endanger the very existence of the Republic.

Political Reforms and Political Clashes 146–134 BC

Despite the lack of surviving sources for this period, especially for domestic politics, there seems to have been a number of key themes to the political reforms of this period. The two main ones appear to have been voting and military recruitment/manpower capacity. A third theme was the increasing clashes between the tribunes and the other magistrates. A fourth theme was the presence of P. Cornelius Scipio Aemilianus 'Africanus', who returned to Rome from his triumphant campaign in Carthage and was present in Rome throughout this period, though seldom appears directly in the surviving sources for Roman domestic events.¹

The year 145 BC saw a proposal by a tribune, C. Licinius Crassus, that the People should be able to elect the various priests of Rome's state religious orders, rather than have them filled by senatorial

nomination. This would bring the field of state religion more in the popular domain and less in the control of the Senate. As it was, the proposal was defeated and did not become law, with the opposition being headed by the praetor C. Laelius, whose own words on the matter are seemingly preserved by Cicero:

‘you remember when Lucius Mancinus and Scipio’s brother, Quintus Maximus, were Consuls [145 BC], how popular apparently was the proposed law of Caius Licinius Crassus regarding the priestly offices – for the right to co-opt to vacancies possessed by the College was being converted into patronage for the People. (By the way, Crassus was the first man to begin the practice of facing towards the Forum in addressing the People.) Nevertheless, through my speech in reply, reverence for the immortal gods easily prevailed over the plausible oration of Crassus.’²

Though the proposal was defeated it did show how the tribunes were attempting to extend the remit of the popular vote over state offices. It is also interesting to note that Crassus innovated the practice of talking directly to the People in the Forum rather than the previous tradition of the magistrates discussing the matter between themselves on the Rostra with the audience watching. With this innovation, the People were more active participants in the legislative process.

The year 143 BC saw an interesting clash between a consul and a tribune, which also had religious overtones. One of the consuls, Ap. Claudius Pulcher, returned from his campaign against a Gallic tribe in Italy, but was refused a triumph due to his being defeated in battle earlier in the campaign. However, Claudius decided to go ahead and celebrate the triumph anyway. When the tribunes tried to intervene, and impose their veto (*ius auxilium*), Claudius’ daughter, who was a Vestal Virgin, stepped in their way to block them:

‘Even a Vestal Virgin mounted her brother’s [father’s] chariot with him, when he was celebrating a triumph without the sanction of the People, and attended him all the way to the Capitol, in order to make it an act of sacrilege for any one of the Tribunes to forbid him or interpose his veto.’³

‘Seeing her father at his Triumph being dragged from his chariot by the violent hands of a Tribune of the Plebs, she put herself between the two with amazing speed and so drove off a mighty power.’⁴

The year 143 BC also saw a sumptuary law passed by the tribune T. Didius, one which prevented conspicuous consumption. The law built on an earlier sumptuary law (the *lex Fannia* of 161 BC), which set

limits on how lavish a private banquet could be. This new *lex Didia* extended the scope of the previous law to cover all of Italy, a growing trend in Roman legislation, and imposed sanctions on guests as well as the host.⁵ Given this, we can imagine that the original law was being flouted, hence the second law to strengthen it. In wider terms, it is interesting to see Roman law and tribunician legislative competency was being extended to the whole of Italy, despite each Italian community retaining their own laws and customs.

The year 140 BC saw the consul C. Laelius (see above) propose an agrarian law designed to tackle the perceived shortage of recruits for Rome's Wars:

'When the poor, who had been ejected from their land, no longer showed themselves eager for military service, and neglected the bringing up of children, so that soon all Italy was conscious of a dearth of freemen, and was filled with gangs of foreign slaves, by whose aid the rich cultivated their estates, from which they had driven away the free citizens. An attempt was therefore made to rectify this evil, and by Caius Laelius the friend of Scipio; but the men of influence opposed his measures, and he, fearing the disturbance which might ensue, desisted, and received the surname of wise or prudent (for the Latin word "sapiens" would seem to have either meaning).'⁶

Frustratingly we don't know the detail of this proposal, but we do know that the problem was perceived to be so important that a consul took the initiative to legislate on it. It is also interesting to note that the source draws attention to the friendship between Scipio and Laelius, hinting that he was behind the scheme. We also know that his proposal faced so much opposition from the political and landholding elites that he chose to drop it rather than continue his efforts. This may have been wise in the short term, but if the problem was as bad as the sources portray, then leaving it to fester was not in the Republic's long-term interest, as later events were to prove (see below).

This year saw another interesting clash take place between the different Roman magistrates, when the tribune Ti. Claudius Asellus clashed with both a consul and a former censor. He attempted to prevent the consul Q. Servilius Caepio leaving for Spain to take up his province⁷ and then prosecuted none other than P. Cornelius Scipio Africanus (Aemilianus) the 'hero' of the Third Punic War, for his actions as censor (142–141 BC) in retaliation for Scipio's attempt to

demote him in the last census.⁸

The following year (139 BC) saw the tribunes push for reform to the Republic's electoral voting system, when a tribune (A. Gabinus) proposed, and passed, a law which introduced secret ballots for the election of Roman magistrates. This seems to have been intended to reduce the influence of rich patrons at elections, who up to this point could observe how their clients voted. With secret ballots, this was not the case, though it would not have stopped patrons paying for their clients to vote for a certain candidate. We have several passing references to this law and none refer to any opposition from within the Tribunician College, or from other bodies, but given our poor sources for this period this may not reflect what actually happened. What we do know however is that the measure was passed. It is also worth repeating Cicero's description of Gabinus: 'this the Gabinian Law, proposed by a man who was unknown and of low degree.'⁹ Thus we can see that men with no family pedigree could not only be elected as tribune, but could propose (and see passed) major reforms to the Roman constitution.

The following year (138 BC) saw another major clash between the tribunes and the consuls, when two tribunes (C. Curiatius and S. Licinius)¹⁰ imprisoned the consuls (P. Cornelius Scipio Nasica Serapio and D. Iunius Brutus) for refusing to make exemptions to the military recruitment levy. This was a repeat of an incident in 151 BC, again over the levy (see [Chapter One](#)). This incident not only showed how clashes between the tribunes and other magistrates were escalating but just how explosive the issue of military recruitment had become.¹¹

The next year (137 BC) saw a second law reforming Roman voting practices, the *lex Cassia*, passed by the tribune L. Cassius Longinus Ravilla. This law extended the practice of voting in secret to all trials before the People (except those for treason), which again would help to undermine the chances of rich patrons rigging the outcome of the vote, though not eliminate the practice altogether. On this occasion, we are told that he was opposed by both a consul (M. Aemilius Lepidus Porcina) and one of his tribunician colleagues (M. Antius Bristo) and some details of the events are preserved:

'Lucius Cassius too derived his influence, which was very considerable, not indeed from his eloquence, but from his manly way of speaking: for it is remarkable that he made himself popular, not, as others did, by his complaisance and liberality, but by the gloomy rigour and severity of his manners. His law for collecting the votes of

the People by way of ballot, was strongly opposed by the Tribune M. Antius Briso, who was supported by M. Lepidus one of the Consuls, and it was afterwards objected to by Africanus, that Briso dropped the opposition by his advice. At this time the two Scipios were very serviceable to a number of clients by their superior judgment, and eloquence; but still more so by their extensive interest and popularity.’¹²

Thus, the opposition to the law was dropped, and the tribunician veto withdrawn, on the advice of the Scipios, showing both their support for the law and their ‘shadowy’ presence in Roman political reform in this period. This is also a good example of the use of the tribunician veto (*ius intercessio*), imposed and then withdrawn after negotiation. Once again, a tribune had pushed through a second reform of Roman voting practice, within just two years. This time the author was not an unknown man, but belonged to an established senatorial and consular family, with Cassius himself going on to be consul in 127 BC. This just shows the contrast between the men who could, and did, hold the tribunate each year; a mixture of consuls’ sons and the low born (see [Appendix Two](#)).

Cicero reports what is supposedly C. Laelius’ view on these laws, which carries a significant amount of hindsight (either on Laelius’ or Cicero’s part):

‘You see how much mischief has been caused already in the matter of the ballot, first by the Gabinian law, and two years later by the Cassian law. I seem now to see the People estranged from the Senate and the weightiest affairs of state determined by the caprice of the mob. For more People will learn how to start a revolution than how to withstand it.’¹³

The following year 136 BC saw another clash between a tribune (P. Rutilius) and a pro-consul (C. Hostilius Mancinus). Mancinus had been defeated in the Numantine War and forced to agree a humiliating peace (assisted by one of his junior officers, Ti. Sempronius Gracchus). In response, the Senate repudiated the peace and handed Mancinus back to the Numantines, who promptly refused to take him. When Mancinus returned to the Senate, Rutilius ordered him to be removed:

‘But one of the Tribunes of the Plebs, Publius Rutilius [son of Marcus Rutilius], ordered him to be removed [from the Senate House], maintaining that he was not a Roman citizen since it was an established tradition that someone who had been sold by his father or by the People or had been surrendered by the pater patratus had no

rights to resumption of civic status.’¹⁴

The year 135 BC saw another interesting development in tribunician power and its uses, when P. Cornelius Scipio Aemilianus ‘Africanus’ secured command of the disastrous war against the Numantines in Spain. Current Roman law stated that no man could hold a second consulship, so Scipio arranged for the Senate to pass a resolution (*senatus consulta*) calling on the tribunes to pass a law suspending this prohibition:

‘As he was still under the Consular age, the Senate voted, as was done when Scipio was appointed general against the Carthaginians that the Tribunes of the People should repeal the law respecting the age limit, and re-enact it for the following year. Thus Scipio was made Consul a second time and hastened to Numantia.’¹⁵

Scipio therefore could now legally stand for election, and if we are to believe this, then this prohibition on second consulship was passed back into law again (either by the tribunes of this year after Scipio’s election or the tribunes of 134 BC). We can see that Scipio (with the Senate’s blessing) used the power of the tribunate to avoid the law governing holding the consulship and secure a military command. Interestingly, one of Scipio’s entourage for this command was a young man named C. Marius, who would use the example of his mentor and secure a military command (against the Senate’s wishes) also using the tribunate. Thus, for the first time in a decade Scipio Aemilianus was not present in Rome, though it seems he ensured that there would be suitable supporters holding magistracies in his absence. The year Scipio left Rome, a young man of noble birth, and related to the Scipios, stood for the tribunate of 133 BC, Ti. Sempronius Gracchus.

The Tribunate of Tiberius Gracchus: The Man and his Background

Tiberius Sempronius Gracchus perfectly exemplified the anomalous position that the Tribunate of the Plebs occupied in this period of the Roman Republic. Far from its origins as an office for those outside of the senatorial aristocracy, Gracchus was a Roman aristocrat from one of Rome’s leading senatorial families. Whilst not a patrician, Gracchus boasted an impeccable upper-class ancestry by both blood and marriage. His branch of the Sempronii clan, the Sempronii Gracchi, had first risen to the consulate in 238 BC, over a century before he stood for election. His father (also named Tiberius Sempronius

Gracchus) had risen to the top of the Roman political order with two consulships (177 and 163 BC) and a censorship (169 BC). This status was cemented when he married Cornelia, the daughter of P. Cornelius Scipio 'Africanus' himself (the hero of the Second Punic War).

Thus, Tiberius Gracchus' mother was the daughter of the great Scipio himself, who was his maternal grandfather. This alliance was augmented when Tiberius' sister, Sempronia, married Scipio Aemilianus himself. We can see that the plebeian Sempronii Gracchi married into the patrician order with each generation; Tiberius' mother came from a patrician family, as did his wife Claudia, who was the daughter of Ap. Claudius Pulcher, himself a former consul and censor.

His background is important because he is often portrayed in modern and early modern sources as a radical reformer with an anti-aristocratic agenda and as a champion of the poor Roman citizens. Yet he was a blue-blooded aristocrat of the highest order, whose standing was further enhanced by his own marriage to the daughter of Ap. Claudius Pulcher, the *princeps senatus* (the leading senator) at the time. Thus, Tiberius was no outsider seeking to make a name, but would have had his political career mapped out from birth, which would have culminated in at least a consulship.

In many ways, he is the perfect example of the paradox that lay at the heart of the office of the Tribune of the Plebs in this period. What had started out as an office to oppose the ruling elite and whose membership was determined by aristocrats (patricians) being prohibited from holding the office, now reflected the very evolution that lay at the heart of the Republic. In the place of the old aristocratic ruling order whose membership was determined by birth and ancestry sat a ruling elite who regularly admitted new blood and was composed of both patricians and plebeians, including many whose ancestors were Italian noblemen who had fought the Romans.

This meant that men whose fathers had been consuls held the tribunate,¹⁶ as part of an elite plebeian succession of offices (though never an official part of the *cursus honorum*). Yet research on the holders of the tribunate (see [Appendix Two](#)) reveals that on average only four out of ten tribunes were aristocrats, the others coming from families who have left no history of office holding.¹⁷ Thus we can argue that the holders of the tribunate each year were a mix of men from different backgrounds (albeit all of the plebeian order). The sons of consuls mixed with plebeians of lower rank, though just how low

we don't know. The tribunes had to stay within the city boundaries (the Pomerium) for their year of office, which meant that an urban dweller could hold the office and conceivably have a day job (such as merchant or a profession). We certainly don't know how many days a year a tribune had to serve and it must have depended upon how active the individual wanted to be.

We can argue therefore that the ten tribunes on average contained a mix of aristocratic and well-off plebeians, but was not solely the preserve of the aristocracy. For an aristocratic plebeian, the tribunate was merely a first step on the political ladder and one which could gain him some measure of popular recognition. For a non-aristocratic plebeian, this would have been the height of their political office holding. Yet all ten tribunes had equal powers, and in fact due to the power of veto (*ius intercessio*), no one tribune could pass a measure if any of his fellow tribunes opposed it. This must have given the less aristocratic members of the Tribunician College some measure of leverage each year, in terms of seeking further patronage or gaining support for any of their own proposals (lesser, more mundane legislation).

This digression helps us to place Gracchus in context. For him, the tribunate was the next step on the long political career that his family would have mapped out for him. In terms of age, we do not know his date of birth, but it is assumed that he was in his late twenties or early thirties when he held the office, which was usual for an aristocrat of his standing. He had spent his twenties amassing military experience as a junior officer. We know that he served under the command of P. Scipio Aemilianus (his brother-in-law), in the Third Punic War in c.147–146 BC and is later said to have scaled the walls of Carthage during the siege.¹⁸ He then held the quaestorship in 137 BC serving in Spain in the Numantine War. The Numantine campaign did not go well for Gracchus, though the same could be said for many Roman aristocrats at the time. Gracchus served under the consul C. Hostilius Mancinus, whose tactical ability was so poor that he was defeated by the Numantines and his army trapped after retreating, which had to be rescued by negotiations led by Tiberius:

‘So Tiberius was sent and held conference with the enemy, and after getting them to accept some conditions, and himself accepting others, effected a truce, and thereby manifestly saved the lives of twenty thousand Roman citizens, besides attendants and camp followers.’¹⁹

Whilst Plutarch paints this in a heroic light for Gracchus (saving the

army), this was in fact a complete Roman humiliation. Defeat on the battlefield had been followed by a humiliating treaty of capitulation. The Senate wasted no time in refusing to ratify the treaty and voted to hand Mancinus back to the Numantines for his disgrace. The sources tell us that it was proposed that Gracchus and his fellow junior officers also be handed back to the Numantines, for their part in the humiliation, yet he was saved by the intervention of his family:

‘For they voted to deliver up the Consul unarmed and in bonds to the Numantines, but spared all the other officers for the sake of Tiberius. It would seem, too, that Scipio, who was then the greatest and most influential man at Rome, helped to save them.’²⁰

Whilst again Plutarch paints a picture of the relatives of the men he saved being grateful, to the Roman populace at large Gracchus was synonymous with the Numantine humiliation, putting a dent in his future career prospects. Between 137 and 133 BC it seems that Gracchus kept a low profile, probably trying to let his role in the Numantine affair fade from public memory. It was against this background that Gracchus sought election to the tribunate for 133 BC.

The Tribunate of Tiberius Gracchus: The Agrarian Law and its Role

Whilst all ten tribunes technically held the same rank and were equal, Tiberius’ family and political connections would have made him the pre-eminent tribune of his year and the reform he proposed as tribune was an eye-catching one. He proposed a law stating/re-stating the limits on the amount of public land (*ager publicus*) that anyone could hold. Public land (*ager publicus*) was land owned by the Roman state, mostly in Italy in this period, which had been confiscated from defeated Italian and Gallic enemies. The state owned this land and rented it out to private individuals for income. According to the ‘official version’ of Roman history the 500 *iugera* limit was originally set in the fourth century (367 BC) by the tribunes C. Licinius Stolo and L. Sextius Lateranus (see [Chapter One](#)).²¹

However, Gracchus’ proposed law went far further than (supposedly) restating a limit on landholding (of public land). A special three-man commission was to be set up, staffed by Tiberius himself and his relatives, which would have powers to enforce these limits and where necessary confiscate public land being held in excess of the 500 limit and then distribute it to poor landless citizens.

There are three important factors to note about this proposed law. According to the surviving sources, these limits were not new, but a restatement of an ancient tribunician law. Secondly, some form of similar agrarian law had apparently been proposed by one of the consuls of 140 BC (C. Laelius, see above), but had been dropped in the face of opposition. Furthermore, Laelius is pointedly described by Plutarch as being ‘the friend of Scipio’²² and was one of his inner circle of friends, whilst Gracchus was his brother-in-law. Thirdly, Plutarch states that Tiberius did not draw this measure up alone, but that it was a collaborative work:

‘He did not, however, draw up his law by himself, but took counsel with the citizens who were foremost in virtue and reputation, among whom were Crassus the Pontifex Maximus, Mucius Scaevola the jurist, who was then consul, and Appius Claudius, his father-in-law.’²³

Tiberius therefore had the support of one of the consuls of that year, the Pontifex Maximus (Rome’s chief priest) and the Princeps Senatus (Rome’s senior senator). The real substance of the law lay in the creation of an agrarian commission with the power to confiscate land and the distribution of this confiscated land to landless citizens. Agrarian commissions were a common enough tool of the Roman state, yet none (so far as we know) had the powers or scope of the one being proposed here. Previously they had been limited by their brief, usually to decide the fate of land belonging to a defeated enemy, but never had they been used to confiscate land from Roman citizens, albeit with compensation, nor had they been a permanent standing body (apparently limited to the timeless brief of being in existence until all public land had been assessed). Furthermore, they had a scope covering the whole of Italy. Finally, we must consider the fact that the proposed membership of this commission had a decidedly partisan feel, with its three members being Tiberius Gracchus himself, his younger brother Caius (having held no political office) and his father-in-law, Ap. Claudius Pulcher (the Princeps Senatus). Thus, Tiberius and his close family benefitted directly from this proposal and potentially gave them a considerable amount of power and patronage.

Next, we have the issue of land distribution itself and again here we have an issue of scope. Previously, agrarian commissions had been created to confiscate captured land and distribute it to create Roman colonies, usually in highly strategic regions of Italy, to keep control of the defeated natives and create more men eligible for military service

(via the holding of land and the equivalent wealth and thus level of citizenship). Yet there had been no Roman (or Latin) colony created for a generation (the last one being created in 177 BC),²⁴ and there was no obvious strategic objective to this distribution, other than increasing the pool of men eligible for military service.

We also have no way of knowing how popular this distribution programme would have been with the urban citizens of Rome, who made up a significant proportion of the voters of the Assemblies. On the one hand, there are stories of Rome being swamped with landless citizens, mostly ex-soldiers and their families, but would they have wanted to return to the land? If there were enough volunteers and they wanted to leave Rome and be set up with farms of their own, then they would clearly be grateful to the commissioners. We must however sound a note of caution; if they did leave Rome to set up on farms in Italy, then they would have difficulty in making it back to the Assemblies to vote again.

Key to the whole proposal is the critical question of what Tiberius and his backers were hoping to achieve with this bill? The short answer is of course that we will never know for certain. This question has occupied historians and political commentators from Tiberius' time to the present day. In the ancient sources however there are a number of themes. As stated before, Appian and Plutarch both preserve the best accounts of Tiberius' tribunate, yet both hail from centuries afterwards, when this period had gained an established, and widely accepted, narrative. Central to this narrative is the decline of the Roman citizen peasantry and the rise of slavery. In both sources we find the benefits of Rome's expanding empire flowing into the wealth of the Roman and Italian elites, who used it to buy up more land from citizens impoverished by long military service. This in turn created vast estates populated with slaves (a far more economical workforce), with these dispossessed citizens then moving to the cities (especially Rome), which in turn exacerbated the social tensions there.

Under the Roman military system, all Roman citizens of a certain age were eligible to undergo military service, but only if they met the minimum land qualification, the ancient belief being that a citizen with land would fight harder than a mercenary who did it for pay alone. Thus, went this 'official' narrative, this impoverishment of the peasantry was undermining Rome's recruitment base, the very foundation of her military success. This seems to fit in with the issues that Rome had been having with the recruitment levy to fight in Spain

and the source of tension between tribunes and Senate (see above and [Chapter One](#)). Furthermore, the mass importation of slaves created a new problem, namely rebellion. The year 135 BC saw the outbreak of the first great slave revolt in Roman history, on Sicily, a revolt which saw Roman military forces defeated by ordinary slaves and was still ongoing during Tiberius' tribunate and thus was fresh in the People's minds. Thus we have a grand narrative of social breakdown and decline, perhaps best summed up by Plutarch:

'Then the poor, who had been ejected from their land, no longer showed themselves eager for military service, and neglected the bringing up of children, so that soon all Italy was conscious of a dearth of freemen, and was filled with gangs of foreign slaves, by whose aid the rich cultivated their estates, from which they had driven away the free citizens.'²⁵

Plutarch even tells us that following Tiberius' death his brother Caius released a work emphasising Tiberius' concern for the slave issue:

'But his brother Caius, in a certain pamphlet, has written that as Tiberius was passing through Tuscany on his way to Numantia, and observed the dearth of inhabitants in the country, and that those who tilled its soil or tended its flocks there were barbarian slaves, he then first conceived the public policy which was the cause of countless ills to the two brothers. However, the energy and ambition of Tiberius were most of all kindled by the People themselves, who posted writings on porticoes, house-walls, and monuments, calling upon him to recover for the poor the public land.'²⁶

This is a wonderfully evocative piece of political propaganda, with a concerned nobleman empathising with the plight of the peasantry of Rome (on his way to war) and vowing to fight the social and economic ills which plagued his state and then being beseeched by the People themselves to recover the public lands. The obvious question is whether this was actually the case and whether this rhetoric reflected the true situation of Roman Italy. For many generations, modern scholars have been trying to get to the bottom of this intangible problem.²⁷ Was there a massive growth in slave estates and were the Roman peasantry being impoverished and losing their land and flocking to the cities? Was there a recruitment problem caused by this?

Given the paucity of our sources, scholars have turned to archaeology and demography (population studies), but for every argument in favour of the above questions, there are ones against

them.²⁸ The other question we must ask is, even if there was a difficulty in recruiting soldiers for the Spanish campaign, was this caused by a decrease in eligible recruits on the unpopularity of the campaign itself: a long drawn out guerrilla war in the Spanish interior, with little offer of booty. Were citizens drifting to the cities in response to losing their farms or did they prefer a life in the growing urban centres, rather than a subsistence existence on a small farm?

Aside from the fact that centuries of scholarship have not, and will never, produce an answer, we need to consider the less obvious question: rather than was this picture of Roman Italy true, did it matter whether it was true? Central to this is the fact that Tiberius Gracchus and his allies were not economists or demographers, nor did they have wealth of evidence or an army of statistical models at their command, they were politicians, first and foremost. It is useful to think of today's politicians and whether they are all striving to address social and economic ills that genuinely exist or whether a problem is manufactured to fit their solution? For Tiberius and his allies, it was merely enough that there was the belief that this was true, that Italy was being overrun by hordes of barbarous slaves and that the 'virtuous' Roman peasant was being thrown off his land by unscrupulous aristocrats. This provided a wonderful narrative and gave an orator as talented as Tiberius a wonderful picture to paint, with him as the man providing the answer to Rome's ills.

There is a case for arguing that this was Tiberius' first great contribution to Roman politics, being the first man (we know of) who painted a picture of a sense of Roman decline, despite the outward appearance of imperial success. Certainly, Cato the Elder had been a proponent of the argument that Roman culture was being polluted by an increased obsession with Greek culture, but with Rome's armies victorious on the battlefield and her empire expanding, this was not really a narrative of decline. Yet by 133 BC, with defeats in Spain and rebellions in Sicily, Tiberius was able to play on the People's sense that all was not well with the Republic, and was the first to offer himself as the man to provide the solution. Aside from this sense of decline and remedy, the ancient sources did also offer up at least two other alternative views. Here we have Tiberius the reformer and Tiberius the consummate politician. For the reformer, we are told he was guided by two of his teachers:

'He was incited to this step, as most writers say, by Diophanes the rhetorician and Blossius the philosopher. Diophanes was an exile from

Mitylene, but Blossius was a native Italian from Cumae, had been an intimate friend of Antipater of Tarsus at Rome, and had been honoured by him with the dedication of philosophical treatises.’²⁹

Here we have Tiberius as an enlightened Hellenistic statesman, guided by rhetoricians and philosophers and obviously motivated by nothing more than the desire to cure the ills of his fellow Romans. On the other hand, however we have Tiberius the politician:

‘Others again say that a certain Spurius Postumius was to blame. He was of the same age as Tiberius, and a rival of his in reputation as an advocate; and when Tiberius came back from his campaign and found that his rival had far outstripped him in reputation and influence and was an object of public admiration, he determined, as it would seem, to outdo him by engaging in a bold political measure which would arouse great expectations among the People.’³⁰

Here we have a picture of a scheming young Roman aristocrat whose years in Spain, and their associated disasters, had meant that he had fallen behind his peers and needed a headline grabbing proposal to recover his standing. Finally, we have Tiberius the puppet, not explicitly stated in the ancient sources, but acting as nothing more than the agent of a political master, in this case the ever present shadow of Scipio Aemilianus, whose mastery of Roman politics was as great as that of the battlefield. Was Scipio pulling the strings all along, even though he was in Spain? Did he guide Tiberius along this route and charge him with passing this bill, perhaps as a test of the young man’s worth and a chance to redeem himself for the Spanish disaster? Did Scipio see himself as the champion of the Roman citizenry? As in all these cases, it is ultimately up to the individual to decide which version of Tiberius Gracchus they chose to believe in. Regardless of motivation, the important issue is that this law was proposed and that it was perhaps bolder in scope than anything that had come before it.

The Tribune of Tiberius Gracchus: Opposition and Escalation

With every law, there are always winners and losers. Whilst the landless citizens may well have been the winners (along with Tiberius himself) there were clearly losers, namely those who would have land confiscated from them. Given the amount of public landholding it would require to be in breach of this proposed law, these losers were likely to be rich men, either of Rome itself or the Italian cities (most of

whom had political connections in Rome). Therefore, it was hardly surprising that a number of the Senate opposed Tiberius' measure. However, it would not be fair to say that it was purely self-interest that motivated Tiberius' opponents. A number of the senators would have been alarmed at a proposal of this kind, especially given its sweeping powers and the fact that these powers would be concentrated in the hands of a small family clique, not to mention one which was closely associated with Scipio Aemilius himself.

Opposing a Tribunician Proposal

The problem for these senators was that the Senate was purely an advisory body with no constitutional powers to stop legislation in the Assemblies (see [Chapter One](#)). However, the obvious solution was the nature of the office of the tribunate, ten men of equal power, and whilst Tiberius may have been the most pre-eminent of the holders of this year's office, the other nine men all held equal tribunician power and any one of them could use his power of veto (*ius intercessio*) and stop the proposed law before it was voted on.

We must presume that Tiberius had discussed his proposal with his colleagues prior to announcing it, to ensure their support. There is some evidence from the later Republic that the ten tribunes met at the start of the year to work out their legislative programme. Such a process would obviously include a fair amount of political bargaining taking place to ensure that they would support each other's measures, whether they were grand pieces of legislation or minor urban matters.³¹ As Plutarch himself summed it up:

'Now, the decisive power is in the hands of any Tribune who interposes his veto; for the wishes of the majority avail not if one Tribune is in opposition.'³²

On this occasion, the opposing tribune in question was another young Roman aristocrat, though of far lesser standing, a man named M. Octavius. Interestingly a fragment of Dio alludes to a previous issue between the two men: 'Marcus Octavius, because of a family feud with Gracchus, willingly became his opponent.'³³ Nevertheless, when the assembly official began to read the proposal to the People Octavius interposed his veto. With another tribune exercising his veto, the proposal could not be formally submitted to the People. The only possible method for overriding this veto was for Tiberius to convince Octavius to remove his veto or in practical terms not to further prevent the proposal from being put to the gathered Assembly by

intervening once again. Both Plutarch and Appian have differing stories of the negotiations between the two men.³⁴ Roman political history has a number of examples of vetoes being withdrawn following negotiations between the tribunes in question.³⁵ Yet on this occasion Tiberius could not persuade Octavius to remove his veto. Appian has both men taking their argument to the Senate, for both were junior members, whilst Plutarch states that growing ever more desperate Tiberius took the following measures:

‘incensed at this procedure, Tiberius withdrew his considerate law, and introduced this time one which was more agreeable to the multitude and more severe against the wrongdoers, since it simply ordered them to vacate without compensation the land which they had acquired in violation of the earlier laws.’³⁶

‘Therefore Tiberius issued an edict forbidding all the other magistrates to transact any public business until such time as the vote should be cast either for or against his law. He also put his private seal upon the Temple of Saturn, in order that the Quaestors might not take any money from its treasury or pay any into it, and he made proclamation that a penalty would be imposed upon such Praetors as disobeyed, so that all magistrates grew fearful and ceased performing their several functions.’³⁷

We must treat such these stories with caution as a single tribune freezing all state business has echoes of the fourth century clashes between tribunes and Senate (see [Chapter One](#)) and it is unclear if Tiberius, acting alone, would be able to do this. Furthermore, no matter how harsh a replacement law he wanted to propose, there was always the possibility that any of the other nine tribunes (including Octavius) could again use their veto and stop the People voting on the measure.

Nevertheless, these stories do show the quandary that Tiberius now found himself in; his flagship measure, whatever his motivation, had been halted and with no signs of Octavius backing down, his proposals would never be put to the People for a vote. He faced the prospect of this situation dragging on for the whole of his year in office and he would leave with nothing of note achieved, save for the cachet of having proposed the bill in the first place. For many Roman politicians, this would have been enough. He could use this cachet for further political advancement perhaps even resurrecting the proposal through supporting another tribune the following year or even waiting until he gained the consulship. Yet for whatever reason this was not

enough for Tiberius and he took one of the most fateful steps in Roman political history; an act which was to have profound implications for both himself and the future direction of the Roman Republic.

The Escalation: Deposing a Tribune

Tiberius therefore proposed another law to the Assembly, namely the deposition of his fellow tribune, M. Octavius. This was an unprecedented step in Roman political history; never before had one magistrate attempted to depose a colleague through popular vote. Prior to this the only time an elected official could be stripped of his magistracy was if there was an issue with his election, either in terms of religious auspices or some form of financial irregularity, namely bribery. Tiberius was proposing something altogether new:

‘He [Tiberius] would take the vote at the Comitia of the following day, both on the law and on the official rights of Octavius, to determine whether a Tribune who was acting contrary to the People’s interest could continue to hold office.’³⁸

Plutarch however relates a far more dramatic tale, complete with bloodshed:

‘and so the law was passed, and Tiberius ordered one of his freedmen to drag Octavius from the Rostra; for Tiberius used his freedmen as officers, and this made the sight of Octavius dragged along with contumely a more pitiful one. Moreover, people made a rush at him, and though the men of wealth ran in a body to his assistance and spread out their hands against the crowd, it was with difficulty that Octavius was snatched away and safely rescued from the crowd; and a trusty servant of his who stood in front of his master and protected him, had his eyes torn out, against the protest of Tiberius, who, when he perceived what was going on, ran down with great haste to appease the tumult.’³⁹

It is Appian’s account that holds the more interest as he has Tiberius arguing that Octavius was removed from office for not fulfilling his duty as a Tribune of the People, by opposing a measure that the People wanted and thus breaking his oath of office. However, the problem with this is that once elected a tribune could propose any law he wanted or block any measure he wished, free from interference by another official, especially another tribune. If we are to believe Appian, Tiberius was creating a new precedent in which tribunes could not oppose a measure that the People wished to vote for

(though who would determine this?). Thus in many ways he was proposing to lessen the power of the tribunician veto (*ius intercessio*) from an absolute one to a conditional one.

Perhaps the most obvious question, though one which is rarely asked, is why did Octavius not veto the law proposing his own deposition, as was within his power? Perhaps the argument was that as the proposal was about his deposition he could not interpose his veto. In reality though it seems that there were few rules, if any, about when a tribune could use his veto, so Tiberius really was breaking new territory here. Furthermore, Diodorus poses another interesting question:

‘After he was deprived of his office, Octavius did not want to admit that he was a private individual, but he did not dare to act as Tribune, and so he kept quiet. Yet at the time when Gracchus proposed a decree to dismiss Octavius from his position as magistrate, Octavius could have proposed a similar decree depriving Gracchus of his position as Tribune. For if the two decrees had been legally adopted, both would have returned to private life; or else they would have kept their powers, if the hostile proposals had been deemed unlawful.’⁴⁰

We also need to address Plutarch’s point about Tiberius’ actions being illegal. As far as we can tell they were not, as the People (in the Assembly on that day) had the right to vote on any law that was put to them. There were no constitutional restrictions on what proposal could be put to them nor what matters they could vote on. It was simply a case that such a thing had never been done before, all the more shocking in a political system that prided itself on precedent.

Nevertheless, this was a monumental step in Roman politics. Tiberius had a serving magistrate deposed from office by popular vote, arguing that he was not acting in the interests of the People and thus betraying his office. Thus, with just one action Tiberius had overturned 350 years of political precedent and removed the one key limitation on a tribune, namely his colleagues. A tribunician veto was now no longer the unshakeable break on legislation which it had been. Furthermore, the precedent had been set, but could also escalate. In this case an officer of the People (not the Roman state) had been removed by popular vote, but clearly in theory this precedent could be extended to the removal of any elected magistrate by the People.

In the short term, however, Tiberius had achieved his goal. Octavius, and his veto, had been removed, and another man was

elected as a Suffect Tribune (Q. Mucius/Minucius/Mummius, the manuscripts vary).⁴¹ With the very public humiliation of Octavius, no other tribune dared interpose his veto and the agrarian bill was voted through the Assembly and made into law. The agrarian commission was established, with Tiberius, his father-in-law and his young brother the three commissioners. Furthermore, Plutarch goes out of his way to note that Tiberius' young brother Caius was still serving in Numantia at this point.⁴²

Retaliation: Matters of Finance

One can imagine the shock that Tiberius' opponents in the Senate had at this turn of events. Three hundred and fifty years of precedent had been overturned, a tribune (still not technically a magistrate of the state, merely the plebeians), had been removed by popular vote and the measure had been passed into law against all odds. Nevertheless, Tiberius' opponents, seemingly led by one of his relations (on his mother's side), P. Scipio Nasica, had one more tactic to use: money, or in this case the lack of it. Financial matters, by established tradition, sat with the Senate and they simply refused to allocate sufficient funds to the commission for it to fulfil its remit. Without sufficient money, no seized public lands could be distributed to landless citizens, as the new landholders would need to be supplied with considerable support to start them off: tools, livestock, crops, even perhaps dwellings.

It was at this point that Tiberius seized on external events and further extended the practical power of the tribunate and the Assembly and again overturned precedent. Sometime contemporaneous to the events described above, the King of Pergamum (a Hellenistic state on the coast of Asia Minor), Attalus III, died without a direct heir. Attalus had been a staunch Roman ally and fearing that after his death his kingdom would be plunged into either civil war between rival claimants, or be annexed by one of his neighbours, he took the unprecedented step of naming the Roman state (the Senate and People) as his heirs. Quite what he expected Rome to do with this situation is not recorded.

However, for Tiberius the timing was excellent as Pergamum was one of the richest Hellenistic states. Not only were matters of finance the preserve of the Senate, but so were foreign affairs. Yet again, however, this situation was only based on precedent and practice, not constitutional power. Thus, Tiberius chose to launch another attack on precedent and proposed a law that as the People had been made

beneficiaries of Attalus' bequest they were entitled to a share of the monies involved, which could be used to fund the work of the agrarian commission. Unsurprisingly there were no tribunician vetoes to oppose this move. Once again Tiberius had made a bold, but yet perfectly legal, move, but had again visibly smashed though established precedent and extended the scope of tribunician jurisdiction and on this occasion trampled over the Senate' prerogatives.

Retaliation: Arresting opponents

According to the surviving sources, Tiberius escalated his response to the continued opposition of certain sections of the Senate, by having a former consul, T. Annius (Cos. 153), arrested:

'The Senate, especially former Consul Titus Annius, was very disturbed by these actions. When Annius had delivered a speech against Gracchus in the Senate, he was arrested by Gracchus and accused before the Plebeians, and Annius now made a public speech against him.'⁴³

'Titus Annius, too, a man of no high character or sobriety, but held to be invincible in arguments carried on by question and answer, challenged Tiberius to a judicial wager, solemnly asserting that he had branded with infamy his colleague, who was sacred and inviolable by law. As many Senators applauded this speech, Tiberius dashed out of the Senate House, called the People together, and ordered Annius to be brought before them, with the intention of denouncing him. But Annius, who was far inferior to Tiberius in both eloquence and in reputation, had recourse to his own particular art, and called upon Tiberius to answer a few questions before the argument began. Tiberius assented to this and silence was made, whereupon Annius said: "If thou wish to heap insult upon me and degrade me, and I invoke the aid of one of thy colleagues in office, and he mount the rostra to speak in my defence, and thou fly into a passion, come, wilt thou deprive that colleague of his office?" At this question, we are told, Tiberius was so disconcerted that, although he was of all men most ready in speech and most vehement in courage, he held his peace.'⁴⁴

Re-Election to the Tribune

Despite having overturned established precedent in the pursuit of his goals, Tiberius faced one last hurdle to his proposals and his agenda.

Although the tribunes theoretically had virtually limitless powers of legislation, they faced three practical limitations. Firstly, came the restriction on leaving the city of Rome, which must have curtailed his actions as an agrarian commissioner that year anyway. Secondly came the powers and vetoes of his colleagues, which as we have seen, Tiberius found a unique way around. Thirdly, however, was the limitation of his term in office (as with most Roman magistracies), to one year, after which he would revert to being a private citizen once more.

This had two practical implications, one for his programme and one for himself. Firstly, the tribunes of the following year could pass a law to revoke the commission or curtail its actions and judgements. Secondly, Tiberius himself would no longer enjoy the immunity from prosecution that his political office afforded him and could easily be charged by his opponents for the actions he had undertaken, many of which clearly breached established precedent and which clearly gained him numerous enemies, as we have seen with the former consul Annii (see above).

Tiberius had clearly thought of these problems and came up with a practical solution albeit one which would again breach established precedent: he would stand for immediate re-election as tribune. Again, we must address the legality of this proposal. Originally, there were no restrictions on office holding in the Republic, but throughout what is now classed as the second century BC, this had changed both by practice and by law. The *lex Villia Annalis* of 180 BC established guidelines on areas such as minimum ages, progression and gaps between offices. Repeat consulships, which were a feature of the early Republic, had died out and a law forbade a second one within ten years: a law which Scipio Aemilianus had gotten around using the tribunate (see above). Yet the tribunate was not an official magistracy of the state but of the plebeian order and thus was not technically subject to these restrictions.

Yet again, however, although there was no law against holding consecutive tribunates, the practice had fallen out of custom. Furthermore, the practice was associated with the radical tribunes of the early Republic, notably Sextius and Licinius of the mid-fourth century, who, in one tradition preserved by the ancient sources, had held office for ten years continuously (see [Chapter One](#)). Furthermore, not only are we unaware of any repeat tribunates since the 360s BC, we have no firm evidence for anyone ever holding a second tribunate

at all in the period since.

Nevertheless, for Tiberius this move held obvious advantages. He would be immune from prosecution for another year and he could prevent any tribune from overturning his law or preventing the working of the commission. Perhaps he even had further proposals in mind to (as he may have seen it) remedy the ills of the Roman state. Plutarch refers to Tiberius passing laws on the length of military service, rights of appeal, and on the composition of juries,⁴⁵ many of which were enacted by his brother during his tribunates (see [Chapter Three](#)):

‘Once more, therefore, Tiberius sought to win the favour of the multitude by fresh laws, reducing the time of military service, granting appeal to the People from the verdicts of the judges, adding to the judges, who at that time were composed of Senators only, an equal number from the Equestrian Order.’⁴⁶

These additional measures are not found in the other surviving sources for this period, and may well have been part of a programme outlined by Tiberius for his second year, but not actually passed into law. Whilst a second (and consecutive) tribunate held definitive advantages for Tiberius the same could not be said for his opponents. Again, there were no laws stopping a tribune from seeking re-election and it was unlikely that he could be prevented from doing so at the ballot box.

Although Tiberius’ re-election would have been perfectly legal, it is easy to see how it would look to his opponents, especially those well versed in their political history. Tiberius had pushed through a proposal for an agrarian commission with unprecedented powers, on which he and his family would sit. He had deposed a fellow tribune and ended the effectiveness of the tribunician veto and had passed laws expanding tribunician competence into matters of finance and foreign affairs, all within just one year’s office. He was now planning on overturning the long-standing tradition that political office should only be limited to one year at a time, enacted in the early days of the Republic, to prevent one man holding too much power and thus a return to tyranny. This is not to say that Tiberius had this in mind, but that would be how it would have appeared to many of his opponents. If Tiberius succeeded to a second year in office, would that satisfy him or would he emulate his noted predecessors of the fifth and fourth centuries and seek further re-election, giving him continuous legal powers? To Tiberius’ opponents in the Senate this threat must have

seemed very real and with no legal method stopping him, took an even more fateful step, one with ultimately was to shape the Republic forever.

The Bloody End of the Tribune of Tiberius Gracchus

We don't know how much time elapsed between Tiberius making clear that he was seeking re-election and the fateful day of the elections itself, nor do we know with any certainty when the tribunician elections were. Appian states that it was summer,⁴⁷ but this is not a very precise date, especially given the issues the Romans had with measuring the length of a calendar year.⁴⁸ In the later Republic, tribunician elections were usually held in midsummer (July).⁴⁹

Legally speaking, Tiberius' opponents had only two avenues open to them to stop his re-election and neither looked promising. Firstly, they could find one of Tiberius' colleagues to pass a law prohibiting re-election to the tribunate. Yet such a move was hardly likely to be approved by the Assembly and there was always the spectre of Octavius' deposition hanging over any tribune who tried. Secondly, they could try to arrange the election of ten men ahead of him, by fair means or foul. Indeed, this is what Appian reports happened:

'It was now summer and the election of Tribunes was imminent. As the day for voting approached it was very evident that the rich had earnestly promoted the election of those most inimical to Gracchus. The latter, fearing that evil would befall if he should not be re-elected for the following year, summoned his friends from the fields to attend the election, but as they were occupied with harvest he was obliged, when the day fixed for the voting drew near, to have recourse to the Plebeians of the city. So he went around asking each one separately to elect him Tribune for the ensuing year, on account of the danger he was incurring for them. When the voting took place the first two tribes pronounced for Gracchus. The rich objected that it was not lawful for the same man to hold the office twice in succession. The Tribune Rubrius, who had been chosen by lot to preside over the Comitia, was in doubt about it, and Mummius, who had been chosen in place of Octavius, urged him to hand over the Comitia to his charge. This he did, but the remaining Tribunes contended that the presidency should be decided by lot, saying that when Rubrius, who had been chosen in

that way, resigned, the casting of lots ought to be done again by all. As there was much strife over this question, Gracchus, who was getting the worst of it, adjourned the voting to the following day.’⁵⁰

Thus, it seems that Tiberius was well on his way to being re-elected, but that there was considerable confusion over the running of the election. Interestingly Appian also draws a distinction between the various groups of citizens, by saying that Tiberius’ powerbase was amongst the plebeians from outside of Rome, not the urban citizens. It also reveals that there was dissension amongst the college of ten tribunes, again confirmed by another passage of Appian: ‘He was obstructed by the other Tribunes and by the rich, who would not allow the votes to be taken on this question.’⁵¹

It seems that both Tiberius and his opponents had brought a considerable following into the Assembly, which was natural enough, given the key issue of the election.⁵² It also seems that in such a highly charged atmosphere tensions led to clashes between the two sets of supporters. The outcome of the clashes seems to have been victory for Tiberius’ supporters with his opponents, including some other tribune’s, being driven from the Assembly:

‘They drove the rich out of the Assembly with such disorder and wounds that the Tribunes fled from their places in terror, and the priests closed the doors of the temple. Many ran away randomly and scattered wild rumours. Some said that Gracchus had deposed all the other Tribunes, and this was believed because none of them could be seen. Others said that he had declared himself Tribune for the ensuing year without an election.’⁵³

What happened next is not easy to piece together. The Senate were either already meeting or called together in an emergency session (as a response to the violence at the elections). Plutarch reports that many in the Senate, including one of the consuls (P. Mucius Scaevola), appealed for calm:

‘All the Senators, of course, were greatly disturbed, and Nasica demanded that the Consul should come to the rescue of the state and put down the tyrant. The Consul replied with mildness that he would resort to no violence and would put no citizen to death without a trial; if, however, the People, under persuasion or compulsion from Tiberius, should vote anything that was unlawful, he would not regard this vote as binding.’⁵⁴

What happened next however took everyone by surprise. A group of senators led by P. Cornelius Scipio Nasica (the Pontifex Maximus) left

the Senate and attacked Tiberius and his supporters, who by this time had moved onto the Capitol. Nasica had himself clashed with the Tribunes during his own consulship (138 BC) and had been imprisoned by them in a dispute, so was no lover of the office. Given that the surviving sources numbered Tiberius' supporters at more than 300 (the total number of the Senate at this point), clearly the senators were not alone. Plutarch, in fact, points out that the senators' retinue were already armed:

'Now, the attendants of the Senators carried clubs and staves which they had brought from home; but the Senators themselves seized the fragments and legs of the benches that were shattered by the crowd in its flight.'⁵⁵

Thus, a heavily armed mob of senators and their staff attacked Tiberius and his supporters. Given that the senators were armed and Tiberius' supporters do not seem to have been, and that Tiberius was cornered on the Capitol, there was only one outcome:

'there was a rout and a slaughter, and as Tiberius himself turned to fly, someone laid hold of his garments. So he let his toga go and fled in his tunic. But he stumbled and fell to the ground among some bodies that lay in front of him. As he strove to rise to his feet, he received his first blow, as everybody admits, from Publius Satureius, one of his colleagues, who hit him on the head with the leg of a bench; to the second blow claim was made by Lucius Rufus, who plumed himself upon it as upon some noble deed. And of the rest more than three hundred were slain by blows from sticks and stones, but not one by the sword.'⁵⁶

'When he [Scipio] arrived at the temple and advanced against the partisans of Gracchus they yielded out of regard for so excellent a citizen, and because they observed the Senators following with him. The latter wresting their clubs out of the hands of the Gracchans themselves, or breaking up benches and other furniture that had been brought for the use of the Assembly, began beating them, and pursued them, and drove them over the precipice. In the tumult many of the Gracchans perished, and Gracchus himself, vainly circling round the temple, was slain at the door close by the statues of the kings. All the bodies were thrown by night into the Tiber.'⁵⁷

It is interesting to note that the first blow against Tiberius seemingly came from one of his tribunician colleagues. As we have seen, a tribune's person was seen to be inviolable for the year of his office, which may be why the symbolic first blow was struck by another

tribune. Whether a tribune's inviolability extended to another tribune is not known. Furthermore, it has been speculated that P. Cornelius Scipio Nasica was selected as the figurehead of the attack due to his office as Pontifex Maximus (Rome's chief priest), as he too was a sacred figure and may have been able to counter a tribune's sacrosanctity.⁵⁸

However, setting aside any religious overtones, we must see this act for what it was: a lynching. Seeing no legal way to prevent Tiberius from being elected, his opponents within the Senate (including several of his fellow tribunes) took matters into their own hands. It is unclear whether they did intend to kill Tiberius from the outset or merely drive him away from the Assembly. Had they been able to gain control of the Assembly, they could have continued with the election and ensured that a rigged vote took place and that Tiberius was not one of the ten men elected for the following year. Instead, Tiberius and his followers were clubbed to death in the centre of Rome and the very heart of the Republic. Following their deaths an aedile (Lucretius Vespillo) ordered Tiberius' body and those of his murdered supporters to be thrown into the Tiber.

Here we have the extra-judicial murder of Roman citizens in the very centre of Rome itself. As we have seen earlier ([Chapter One](#)), for centuries the plebeian order had struggled for full political and judicial rights in Rome, including the right to a trial before punishment. Yet a large number of plebeians (over 300 if we are to believe our sources)⁵⁹ and one of their tribunes had been murdered by a retinue of senators. However, we must be careful not to see this incident as merely a 'senators versus plebeians' matter, as there were many in the Senate who supported Tiberius and many plebeians who opposed him, the first blow being supposedly struck by one of his colleagues. Tiberius' opponents clearly did not have enough support in the Senate to take official action against Tiberius and so had to resort to extra-constitutional, and more direct, methods. Perhaps one of the key aspects to this is the description Appian gives of Tiberius' powerbase:

‘[Tiberius] summoned his friends from the fields to attend the election, but as they were occupied with harvest he was obliged, when the day fixed for the voting drew near, to have recourse to the Plebeians of the city.’⁶⁰

For Appian and the historical tradition he represented, Tiberius had more popularity amongst the agrarian workers around Rome than the

urban populace. This may be down to the agrarian workers being more enthusiastic about his proposals to grant them their own land to work as opposed to the urban dwellers who probably had little wish to be farmers, like their ancestors. Nevertheless, from what we are told of the voting, the first two tribes to vote did so in favour of Tiberius. Yet when his opponents attacked, this support soon faded away leaving Tiberius with only a hard-core of supporters, which clearly was not enough to prevent the massacre.

Summary

The critical question which the events of this year raised is how did a proposed law on the holding of public land lead to the public murder of a young magistrate and his followers in broad daylight? Crucially, we can see that the events of this year saw escalation after escalation, and central to this was Tiberius Gracchus' refusal to back down. The veto of a fellow tribune should have been the end of the matter, unless it was removed voluntarily following negotiation between the men (and their backers). Yet Tiberius' subsequent actions, all of which were technically legal but in breach of *mos maiorum* (custom and practice) upset the delicate balance that existed in the Roman constitution and led his opponents to escalate their opposition.

The Roman political system was based on adherence to the unwritten customs and practice and had a balance between competing individuals and alliances (whether based on family or political outlook) and the collective ethos of not going to extreme measures. Yet Tiberius seemingly charged blindly ahead without considering how his actions would look to his opponents, extending the practical power of the tribunate to a degree not seen before. A magistrate was deposed by popular vote, the wealth of a client kingdom was sequestered and a consecutive magistracy was proposed. Thus, Tiberius exposed the potentially unlimited power the tribunate (backed up by a popular vote) had in the Republic. This is the first lesson that this period taught Roman politicians and the People.

The second was that it was possible to murder a fellow politician without seemingly suffering any consequences. The murder was blatantly illegal, putting a Roman citizen to death without trial, yet Scipio Nasica was not brought to justice and thus two terrible examples were set (the murder and the lack of legal retribution). Scipio was not only protected by his connections (ironically which were the same as Tiberius Gracchus'), but by the narrative that

Tiberius had betrayed the Republic and thus was a legitimate target for violence. If such a determination could be made without redress to the courts, then any politician could wield the same accusation at an opponent.

Another interesting factor to consider is the role of Scipio Aemilianus, as he was the dominant force in Roman domestic politics in the period 145 to 134 BC and it is perhaps no coincidence that the events of 133 BC spiralled out of control in his absence. He was not present either to assist the passage of Tiberius' proposal through senatorial opposition or restrain Tiberius from engaging in the escalation which he did. Furthermore, if Scipio was ultimately behind the proposal then Tiberius may well have felt pressured into passing the measure to satisfy his absent patron. This may especially have been the case given the pressure of an illustrious family name and ancestry to live up to, combined with a poor record of accomplishments to date.

Chapter Three

Between the Bloodshed: Reform and Revenge (132–124 BC)

The Aftermath: Trials, Retribution and Murder (132–129 BC)

It is clear that the massacre in Rome during the tribunician elections did not bring the matter to an end. However, what happened in the immediate aftermath is not only hampered by the loss of our annalist sources, such as Livy, but by the three different variant traditions preserved in our surviving sources. In short, we have sources which paint a pro-Gracchan backlash, an anti-Gracchan backlash and a status quo being reached. Rather than chose one version over another, it would be better to consider that elements of all three may have been taking place in the aftermath of an unexpected and shocking act of political violence. The pro-Gracchan backlash is represented by Diodorus:

‘The Tribunes of the People, bringing all the Senators one by one to the rostra, asked them who had killed him; every one of them, fearing violence from the People, denied the facts, and gave vague answers. But when it came to Nasica, he admitted that he had killed him with his own hand; and further declared, that the ambition of Gracchus to seize absolute power had not been obvious to others, but it was very well known to him and the Senate. Whereupon the People, though they were much troubled at what had happened, yet were moved by the boldness and authority of the man; and so they refrained from further action.’¹

Here we have perhaps the least credible of the options: the tribunes grilling the senators before the People, despite the fact that this would have been an unprecedented move and the fact the tribunes themselves were split between supporters and opponents of Gracchus. Yet despite this inquisition, the People were apparently so impressed with the murderer’s boldness they took no retaliatory action. Next, we have the anti-Gracchan backlash. This is best exemplified by Plutarch, but can also be found in Sallust and Velleius:

‘Nor was this all; they banished some of his friends without a trial and

others they arrested and put to death. Among these Diophanes the rhetorician also perished. A certain Caius Villius they shut up in a cage, and then put in vipers and serpents, and in this way killed him. Blossius of Cumae was brought before the Consuls, and when he was asked about what had passed, he admitted that he had done everything at the bidding of Tiberius. Then Nasica said to him, "What, then, if Tiberius had ordered thee to set fire to the Capitol?" Blossius at first replied that Tiberius would not have given such an order; but when the same question was put to him often and by many persons, he said: "If such a man as Tiberius had ordered such a thing, it would also have been right for me to do it; for Tiberius would not have given such an order if it had not been for the interest of the People." Well, then, Blossius was acquitted, and afterwards went to Aristonicus in Asia, and when the cause of Aristonicus was lost, committed suicide.'²

'After the murder of Tiberius Gracchus, whom they accused of trying to make himself king, prosecutions were instituted against the Roman People.'³

'Rupilius and Popillius, who, as Consuls, had prosecuted the friends of Tiberius Gracchus with the utmost severity, deservedly met at a later date with the same mark of popular disapproval at their public trials.'⁴

It is this tradition that seems to carry more weight. Whilst Plutarch may have been a later source, Sallust was writing in the later Republic (less than 100 years after the events he described – see [Appendix Three](#)). Furthermore, both Sallust and Velleius describe a rather more sober process of consular-led prosecutions rather than the lurid tales of Plutarch. Therefore it does seem that the murders of 133 BC were followed up in 132 BC by consular prosecutions of Gracchan supporters. And yet it is clear that a number of the more prominent senatorial supporters of Gracchus were not inconvenienced. Men such as Ap. Claudius Pulcher (Tiberius's father-in-law), P. Licinius Crassus Dives Mucianus and M. Fulvius Flaccus all seemed to have escaped unharmed. If anything, the prosecutions seem to have focussed on the non-Roman supporters of Gracchus, who seem to have been perfect as scapegoats. Thus, in the official verdict of the incident, Tiberius was influenced by foreign elements rather than by his advisors within the Senate.

What is also clear is that the Senate did concede some ground to the supporters of Gracchus. First and foremost was the question of what to do with the chief instigator of the murders, P. Cornelius Scipio

Nasica. Clearly, he had broken one of Rome's oldest laws, the murder of Roman citizens without a trial. It must have also been clear that a trial of Nasica would have been highly embarrassing, as not only was he a distinguished senator, but he was the serving Pontifex Maximus. Many in the Senate must have realized that his trial would have created even more divisions in Roman society. Thus, the Senate found a tidy solution and swiftly appointed him to the commission to oversee the organisation of the inherited Kingdom of Pergamum, in Asia Minor. This was a highly irregular appointment given that he held the lifetime role of Pontifex Maximus. Thus, he was spirited out of the country and away from any threats of prosecution or more imminent danger to his own life. Yet Scipio was not to return, dying somewhat suspiciously in Asia not long afterwards. It is not clear whether this was coincidentally timed natural causes, suicide or murder.⁵

The greatest concession to Tiberius' supporters however came in the continued existence of Tiberius' law and the work of his agrarian commission on land distribution. The Senate seemingly agreed to the continuation of the commission and held an election to fill the vacant commissioner's role (caused by Tiberius' death).⁶ Unsurprisingly another Gracchan supporter was elected, P. Licinius Crassus Dives Mucianus, who not only came from a prominent plebeian family, but who was the father-in-law of C. Sempronius Gracchus (Tiberius' younger brother). His prominence was further enhanced by his selection to the consulship just a year later (for 131 BC).

Thus, it seems that the Senate had restored order to Rome. Show trials of Gracchus' more junior supporters had taken place; his murderer had been effectively exiled without the complications of a trial; and the work of the agrarian commission continued. However, there was one obvious shadow hanging over these whole proceedings, namely the impending return of Tiberius' brother-in-law, P. Cornelius Scipio Aemilianus 'Africanus'.

It was into this tense situation Aemilianus entered, having successfully ended the Numantine War and destroyed Numantia. On the one hand, the return of Rome's leading general, having successfully ended a protracted war in Spain, would have been seen as a pleasant distraction. Scipio was duly granted a triumph and the People of Rome had a spectacle to take their mind off the events of the previous year.⁷ Yet on the other hand, Scipio was inexorably linked to Gracchus, not only by ties of kinship, but by political

alliance. There would have been many who saw the hand of Scipio behind Tiberius' actions and Tiberius' own younger brother was serving with Scipio in Spain and returned with him. Yet despite these connections, when news of Tiberius' murder reached Scipio in Spain, he is alleged to have 'recited in a loud voice the verse of Homer, "So perish also all others who on such wickedness venture."'”⁸

Whether he actually said this or not is not the point, it seems that the stories that he had said this were circulating in Rome at the time. Thus, it seems that Scipio was making a conscious effort to disassociate himself from Tiberius' actions, yet by doing so he seems to have alienated a section of the Roman populace. Nevertheless, the year 132 BC seems to have passed without any major issues, with the Gracchan supporters clearly on the back foot. The obvious other source of tension would have been the new tribunes of this year. Clearly there was a risk that someone would take up Tiberius' mantle and reform programme. Yet our surviving sources do not tell us a single name of any of the ten men elected this year, nor any of their actions.

Yet the same could not be said of the tribunes of the following year, who seem to have taken up the reforming initiative once more. For 131 BC, we know of at least two Tribunes, C. Atinius Labeo and C. Papirius Carbo.⁹ The year is also noted for another advancement in the plebeian cause when, for the first time, both censors were plebeian (traditionally it being one patrician and one plebeian). These censors soon clashed with one of the new tribunes, C. Atinius, when they removed him from the Senate. Unsurprisingly, Atinius soon retaliated: 'Tribune Caius Atinius Labeo ordered Censor Quintus Metellus to be thrown from the [Tarpeian] rock, because he had not included him when he had revised the list of Senators; the other Tribunes assisted Metellus to prevent this.'¹⁰ Having been prevented from murdering one of the censors, he then attempted to have the man's property confiscated.¹¹

Away from clashes between tribunes and censors, the legacy of Tiberius Gracchus was raised explicitly by one of his former allies, C. Papirius Carbo (who also held the tribunate), who proposed a bill before the Assembly, explicitly allowing for immediate re-election to the tribunate. This would have served two purposes; on the one hand, it would have cleared up the question of whether it was legal for future use, but more importantly it would have raised the issue of Tiberius' actions and murder once again. Although Carbo was

supported in the Assembly by C. Sempronius Gracchus, he was opposed by Scipio Aemilianus, which led to Scipio again asserting publicly what he thought of the murder of Tiberius:

‘When Caius [Gracchus] and Fulvius [Flaccus] asked him in an Assembly of the People what he thought about the death of Tiberius, he made a reply which showed his dislike of the measures advocated by him. Consequently, the People began to interrupt him as he was speaking, a thing which they had never done before, and Scipio himself was thereby led on to abuse the People.’¹²

Nevertheless, Scipio carried enough popularity amongst the urban plebeians that Carbo’s proposal was blocked. Interestingly by blocking it, Scipio and his supporters in the Assembly were also passing judgement on Tiberius’ actions in seeking re-election. Nevertheless, Carbo was able to pass another measure (the *lex Papiria*) extending secret voting for legislation.¹³ Carbo was also sufficiently prominent a Gracchan supporter that he was appointed to the agrarian commission when another vacancy was created by the death of P. Licinius Crassus (presumably through natural causes).

The years 130 and 129 BC seem to have been dominated by the work of the agrarian commission and the inevitable backlash against it. Naturally enough, as well as the winners there were the losers; in this case, landowners who had public land taken from them and given back to the state to be redistributed. Politically, whilst the beneficiaries had little voice in Rome, the landowners who lost land either had, or could find, allies in the Senate who would stand up for their grievances.

Prominent amongst these landowners were a number of Italian noblemen who, according to Appian, called on the services of Scipio Aemilianus, who soon went on the attack against the Gracchan supporters (having already clashed with Caius Gracchus and Papirius Carbo). On this occasion, he attacked the powers of the commission, rather than its existence, arguing that the commission’s judicial powers relating to their work should be transferred to the (senatorial-dominated) courts in Rome. Thus, the work of the commission would be hampered by the courts.

The Gracchan supporters in the Assembly seemingly raised their objections, though we do not know the identities or activities of any tribunes of these years (130–129 BC).¹⁴ The main objection (as reported by Appian) was that Scipio was seemingly siding with Italians against Romans.¹⁵ Matters seemingly came to a head in 129

BC with the Periochae of Livy speaking of riots or disturbances though he does not say where.¹⁶ At the height of this dispute came another death, that of Scipio Aemilianus himself:

‘Riots were excited by the board of three for the division of land, Fulvius Flaccus, Caius Gracchus, and Caius Papirius Carbo. Although he had returned home in good health, Publius Scipio Africanus was found dead in his bedroom after he had appeared in opposition on the former day. His wife was suspected of poisoning him, chiefly because Sempronia was the sister of the Gracchi, whom Africanus had been opposing. Yet there was no prosecution of the case. After his death, the triumviral riots were exacerbated.’¹⁷

Thus, the greatest living Roman general, the man who destroyed Carthage, was possibly murdered by his own wife in a dispute about land ownership in Italy. It is impossible for us to determine whether Scipio was indeed murdered, just as it was impossible for Romans of the day to know. Yet the speculation was there and as we have seen, he was not the first Roman nobleman to die during this political dispute. Notably, Scipio was not given a public funeral, again perhaps showing the Senate’s desire to sweep these matters under the carpet and allay tensions, though the Periochae of Livy does speak of the riots and disturbances continuing.¹⁸

Certainly, it seems that the next few years (128–127 BC) saw a lessening of the political temperature. Clearly the work of the agrarian commission continued, but for the next few years we have a noticeable gap in terms of our surviving sources, with little being reported either domestically or in foreign affairs. Thus, it seems that all sides of the Roman elite again drew together and ensured that there was a period of calm following the death of a prominent Roman politician. However, just how long this calm would last was another matter especially given the shadow being caused by the maturing of Tiberius’ younger brother, C. Sempronius Gracchus, as it was obviously only a matter of time before he sought political office, notably the tribunate.

M. Fulvius Flaccus and the Italian Question 126–124 BC

Following two years of silence from our surviving sources, we start to see traces of the next major domestic political issue being raised, one which was related to the reforms of Tiberius Gracchus: namely Rome’s

relationship with her Italian allies. During Rome's conquest of Italy in the preceding two centuries, Rome bound the defeated races of Italy to her by individual treaty (see [Chapter One](#)). In return for providing soldiers to fight in Rome's armies, the elites of the various other races and civilisations of Italy were left to run their own regions according to their own customs and traditions. However, most were not granted Roman citizenship, with the legal privileges this entailed (including protection from arbitrary punishment). Roman citizenship also conferred voting rights and the ability to stand for Roman office (if one were rich enough). Yet the vast majority of the other races in Italy did not possess full Roman citizenship but either partial 'Latin' or 'Italian' citizenship, which had limited legal rights in the eyes of Rome and no ability to vote in Roman assemblies or stand for a Roman magistracy.

In the early years of the Roman conquest this may have seemed acceptable to the defeated parties, but as the decades passed, more and more Italians fought in Rome's armies and helped to expand her empire, but seemingly were not able to share in Rome's good fortunes, despite their military efforts. They still remained second-class citizens in the eyes of Rome, which seemingly had two major effects. Firstly, there seemed to be a drift of non-Romans settling in Rome, and without any form of identification one could not easily tell the difference between an Italian with Roman citizenship and one without. Secondly, there seems to have been a push, by the Italian elites at least, to gain full Roman citizenship.

We do not know the background to it, but 126 BC saw a new law proposed by a tribune, M. Iunius Pennus. Thanks to Cicero,¹⁹ we know that Pennus was the son of a consul (of 167 BC) and so came from one of Rome's leading plebeian families. He proposed the expulsion of all inhabitants of Rome who did not hold Roman citizenship. Latin expulsions from Rome were not a new phenomenon; such events had taken place in both 187 and 177 BC.²⁰ Certainly, it seems though that the Gracchan agrarian commission did stir a degree of antipathy amongst certain Italian noblemen who stood to lose out, especially as they had inferior legal status in the eyes of the commission, and hence their commissioning of Scipio Aemilianus to represent their cause in 130/129 BC. In addition, 125 BC had seen the Latin colony of Fregellae revolt against Roman rule, for which it had been destroyed.²¹

Interestingly we are told that one of the men who spoke against

this proposal was none other than Caius Sempronius Gracchus.²² Gracchus was nine years younger than his brother, and following his return from Spain in 132 BC (where he served under his brother-in-law Scipio Aemilianus) had seen service as one of the three-man agrarian commission and had also been active in defending his brother's name in the Assemblies. Plutarch reports that he honed his skills in oratory in preparation for a political career:

‘But as time went on he gradually showed a disposition that was averse to idleness, effeminacy, wine-bibbing, and money-making; and by preparing his oratory to waft him as on swift pinions to public life, he made it clear that he was not going to remain quiet; and in defending Vettius, a friend of his who was under prosecution, he had the People about him inspired and frantic with sympathetic delight, and made the other orators appear to be no better than children. Once more, therefore, the nobles began to be alarmed, and there was much talk among them about not permitting Caius to be made Tribune.’²³

Naturally there was no legal method of preventing Caius from standing for political office, especially given his family's supporters in the Senate, and those of his wife's family (the Licinii Crassi), not to mention the name recognition he would have amongst the electorate. The first step on this political career was not the tribunate, but the quaestorship, for which he successfully stood in 127 BC (to serve in 126 BC). He was then assigned (by lot) to the consul L. Aurelius Orestes, who was fighting a campaign in Sardinia. Yet before he left for the campaign, he found time to publicly oppose the tribune Pennus and his expulsion proposal. Not only would this move keep him in the public eye, but it squarely placed him on the side of the Italians. In the short term, there was little political advantage to this, given that the Italians could not vote in Roman elections. This proved to be the case when the Roman voters backed Pennus' expulsion proposal, which would have gone down well with many of Rome's indigenous citizens.

Nevertheless, in the long term, there were significant gains to be had, if the other races of Italy were given Roman citizenship. This would have been a major reform of the Roman state, overturning the policy of 200 years. Yet this is clearly what the Gracchan faction had in mind, for 126 BC also saw another important election, that of the Gracchan supporter (and Agrarian Commissioner) M. Fulvius Flaccus to the consulship. The following year (125 BC), with Caius Gracchus serving in Sardinia, Flaccus took up his consulship and proposed the

greatest domestic reforms Rome had seen since the ‘Struggle of the Orders’ (see [Chapter One](#)), namely the enfranchisement of the Italian allies into full Roman citizenship, with all the privileges this entailed.

‘Some proposed that all the Italian allies who made the greatest resistance to it, should be admitted to Roman citizenship so that, out of gratitude for the greater favour, they might no longer quarrel about the land. The Italians were ready to accept this, because they preferred Roman citizenship to possession of the fields. Fulvius Flaccus, who was then both consul and triumvir, exerted himself to the utmost to bring it about, but the senators were angry at the thought of making their subjects equal citizens with themselves.’²⁴

Here we must examine his motives for proposing such a radical reform. As with Tiberius’ proposals, we must ask ourselves whether there was a genuine problem here (or whether the Romans at the time believed there to be one). Certainly, there seemed to be many Italians who wanted a fairer share of the benefits of empire given that they shouldered a considerable part of the military burden. There also seemed to be a growth in Roman legislation affecting the whole of Italy, infringing on the previously autonomous domestic politics of each region, as seen with the Gracchan agrarian commission. There did also seem to be a drift of Italians from the regions to Rome and the blatantly discriminatory Pennan proposal would not have helped relations between the Romans and their allies.

However, as with Tiberius’ proposal, we must also ask ourselves whether what was being proposed would solve this issue? Did all Italian inhabitants need to be enfranchised or could Rome have merely widened the franchise to the Italian noblemen, as it had been slowly doing? Certainly, enfranchising all Italians would solve the issue of inequality, but it would also undermine the foundation of the Roman political and military system. In political terms, there would be millions more people eligible to vote (although in practice only a fraction would be able to physically do so). In military terms, the distinction between Roman soldiers and allied (Italian) contingents would disappear. Thus, we can see the major implications of such a fundamental reform.

What is not known is whether Flaccus campaigned for the consulship on such a reform. As the previous year had shown, whilst there would have been much support outside of Rome for such a reform, inside of Rome was another matter. Neither the Senate nor the People would have been that enthusiastic to share the benefits of

citizenship and dilute the voting system. Given this, and the resistance he faced, it is probable that he did not campaign on such a proposal but introduced it only after he was elected. Naturally enough he faced stiff opposition from within the Senate: 'With difficulty he was compelled to come to the Senate House, but then gave no answer to the Senate as it partly warned and partly entreated him to give up his programme.'²⁵

Given Flaccus' association with Tiberius Gracchus, there must have been many wondering how to oppose a consul who was determined to bulldoze a reform measure through the Assembly. Yet on this occasion the Senate tried, and succeeded, at a new tactic:

'Fulvius Flaccus in his Consulship first and foremost openly excited among the Italians the desire for Roman citizenship, so as to be partners in the empire instead of subjects. When he introduced this idea and strenuously persisted in it, the Senate, for that reason, sent him away to take command in a war, in the course of which his Consulship expired.'²⁶

Thus, unlike a tribune, the Senate could dispatch a consul to Rome's frontiers. With Flaccus fighting in Gaul and Caius Gracchus fighting in Sardinia, their opponents in the Senate could rest easy for the rest of the year, if not longer (with Flaccus continuing his campaign in 124 BC as pro-consul). Yet barring military mishap, Caius was likely to return and stand for the tribunate. Furthermore, Rome's Italian allies had now been given a double snub, in two years: first the Pennan expulsion law, and second the failure of a consular proposal to extend the citizenship franchise. The close of the Sardinian campaign of 125 BC saw an unusual turn of events, in which domestic Roman politics clashed with Roman military campaigning:

'The winter in Sardinia proved to be rigorous and unhealthy, and the Roman commander made a requisition upon the cities of clothing for his soldiers, whereupon the cities sent to Rome and begged to be relieved from the exaction. The Senate granted their petition and ordered the commander to get clothing for his soldiers in some other way. The commander was at a loss what to do, and the soldiers were suffering; so Caius made a circuit of the cities and induced them of their own free will to send clothing and other assistance owing to the Romans. This was reported to Rome, where it was thought to be a prelude to a struggle for popular favour, and gave fresh concern to the Senate. So, to begin with, when ambassadors of King Micipsa came from Africa, and announced that out of regard for Caius Gracchus the

king had sent grain to the Roman commander in Sardinia, the Senators were displeased and turned them away. In the second place, they passed a decree that fresh troops should be sent to relieve the soldiers in Sardinia, but that Orestes should remain, with the idea that Caius also would remain with him by virtue of his office.’²⁷

Caius Gracchus and the Tribunate: The Opposition

Thus, the Senate, or a faction within it, first attempted to undermine the effectiveness of the Sardinian campaign but then extended the consul’s command in the hope that it would keep Caius in Sardinia for at least one more year. To counter this move, Caius took an unusual and bold course of action. Despite still serving as questor and assigned to the Sardinian campaign, he boarded a ship and returned to Rome, an action which allowed his enemies to charge him with deserting his post:

‘But Caius, when he heard of this, straightaway sailed off in a passion, and his unexpected appearance in Rome not only was censured by his enemies, but also made the People think it strange that he, Quaestor as he was, had left his post before his commander. However, when he was denounced before the Censors, he begged leave to speak, and wrought such a change in the opinions of his hearers that he left the court with the reputation of having been most grossly wronged. For he said that he had served in the army twelve years, although other men were required to serve there only ten, and that he had continued to serve as Quaestor under his commander for more than two years, although the law permitted him to come back after a year.

After this, other fresh charges and indictments were brought against him, on the ground that he had caused the allies to revolt and had been privy to the conspiracy at Fregellae, information of which was brought to Rome. But he cleared himself of all suspicion, and having established his entire innocence, immediately began a canvass for the Tribunate.’²⁸

Thus Gracchus was cleared of all charges and free to campaign for the tribunate. Another passage of Plutarch shows that Caius’ natural powerbase, like that of his brother, was not so much the urban plebeians, but those from the countryside outside of Rome:

‘All the men of note, without exception, were opposed to him, but so great a throng poured into the city from the country and took part in the elections that many could not be housed, and since the Campus

Martius could not accommodate the multitude, they gave in their voices from the house-tops and tilings. So far, however, did the nobility prevail against the People and disappoint the hopes of Caius that he was not returned first, as he expected, but fourth.’²⁹

Therefore, nine years after the murder of his brother, and despite the best efforts of a section of the Senate to prevent his election, Caius Sempronius Gracchus was duly elected as one of the ten tribunes for the year 123 BC.

Summary

Although our knowledge of the events of these years is patchy (thanks to the loss of many sources), it is clear that the events of 133 BC dominated the period and that the bloodshed did not end with the death of Tiberius. A number of the supporters of Tiberius Gracchus were put on trial, despite the fact that he himself had not been tried (let alone convicted) of any crimes against the Roman state. Further deaths followed, whether by execution or suicide, further entrenching the legitimization of targeting the supporters of your political opponents and labelling them all as enemies of the state. The opponents of Gracchus themselves suffered possible losses with the mysterious deaths of Scipio Nasica, the instigator of the murder of Gracchus, and no less a figure than Scipio Aemilianus himself, the ‘hero’ of the Third Punic and Numantine Wars. Yet this murder (if it was murder) was far more of a traditional one, done behind closed doors and with no obvious signs of violence. This death seems to have marked an end to the bloodshed of this period.

On a wider political front, this period saw the legitimisation of the agrarian commission and the distribution of public land, something which Tiberius had pushed so hard for (and ultimately died for). It also saw the important issue of Italian citizen status raised in the Senate as a potential area of reform. Furthermore, this period saw the Senate and People waiting (with an unprecedented degree of both anticipation and trepidation) for the election of a young man to a junior magistracy. Everyone was waiting to see whether Caius Gracchus would follow in his brother’s footsteps and reopen the wounds of 133 BC. Thus, we see the dangers of a family-based political system; the stability of the state required that no-one reopened these wounds, but fraternal piety demanded he did.

Chapter Four

From Reform to Massacre: The Tribunates of Caius Gracchus (123–120 BC)

The Reforms of Caius Sempronius Gracchus (123–122 BC)

Once in office, Caius Gracchus did not disappoint. Whereas his brother spent all year on one piece of legislation, Caius presented a whole programme of measures, numbering nearly a dozen, across his time as tribune. Given the breadth of the measures he proposed (most of which were passed into law), it does suggest that he commanded considerable support in the Assembly. As we have seen, although he had considerable support amongst the rural plebeians from around Rome, this did not automatically translate into support of the urban plebeians. Yet much of his legislative programme seems to have been based around broadening his powerbase of support away from just the rural plebeians who had supported his brother. Another point to note is that he seems to have commanded the support, or acquiescence at least, of his nine colleagues for much of the year (see below).

In terms of analysing his reform programme we are faced with two key problems with our surviving sources, both in terms of detail and timing. Given the loss of our narrative sources, we have to piece together his whole programme from a number of different sources, with no one source preserving every measure. Furthermore, the detail of the reforms preserved in some of our surviving sources is limited. Added to this is the second issue, namely that we do not have a complete picture of which measure belonged to which year of Caius' two tribunates. Nevertheless, what is important here is to analyse the whole of his reform programme thematically rather than get lost in the detail of when each measure was proposed, allowing us to see the whole scope of his reform programme.

In the Shadow of Tiberius Gracchus

It seems that the first measures which Caius proposed were related to the tribunate of his brother and his memory. On the one hand, this was showing fraternal piety, whilst on the other it seems to have targeted specific opponents of his brother and sent a warning out to

his own opponents. The first measure seems to have been one which was a proposal to prevent any magistrate who had been deposed by popular vote from ever holding elected office again (clearly aimed at Tiberius' rival, M. Octavius). The second proposal was that no citizen could be executed or exiled without a trial. Plutarch believes that this measure was aimed at a certain P. Popillius, who as consul in 132 BC exiled many of Tiberius' supporters.¹ Of the two proposals, Caius withdrew the one aimed at Octavius, apparently at the behest of his mother Cornelia, but the second one was passed. Popillius duly fled into exile rather than be brought to trial.

The third measure which reaffirmed the link with his brother was another agrarian law, again concerning the distribution of public land, though beyond this we are not given any further details.² Clearly, throughout the intervening decade, the Gracchan agrarian commission had been continuing in its work and perhaps this measure furnished it with a fresh supply of land for it to continue. Both Velleius and the Periochae of Livy link the content of this law to that of Tiberius', so it may well have been a reaffirmation of the original law just to enshrine its legality, if any doubt continued.³

Infrastructure

Next seems to have come two proposals, both of which seem to have become law, connected to building additional infrastructure in Italy. The first concerned a law establishing citizen colonies throughout Italy and more radically, establishing Rome's first overseas colony (on the site of Carthage in North Africa). As detailed in [Chapter One](#), founding colonies throughout Italy had been standard Roman practice for centuries, to both bleed off the excess urban population and to act as outposts of Roman influence in conquered territories. However, by the 180s BC (when the last colonies were founded), the need for securing Italy had passed (in all but the north) and the practice had lapsed.

Caius' law proposed a number of colonies, the location of at least two of which are known, including Scylletium and Tarentum on the southern Italian coast. During his second year of office, one of his colleagues Rubrius (presumed to be an ally) proposed a more controversial new Roman colony (Iunonia) on the site of Carthage, extending Caius' programme and with Caius as one of the colony's founding board. Not only was an overseas colony of Roman citizens a radical departure, but Caius chose perhaps the most controversial site

possible, the ruined city of Carthage, which Rome had laid waste to just over twenty years earlier. We have no record of why Caius chose this site, which had supposedly been cursed for all time.⁴ Though the site may have been controversial, the policy was a logical extension of the colonisation of Italy to create secure bastions of Roman power in a freshly conquered land. Now with Italy secure, the policy was expanded to the Mediterranean and set a precedent which Rome was to follow for the next several hundred years. It is interesting that the other two colonies were coastal ones and south facing, perhaps with an eye on securing Roman control of the seas and the trade routes.

The next proposal which became law established a road-building programme throughout Italy. Exactly where we are not told, though Plutarch does go into some detail about the high quality of these roads.⁵ With this great building programme, Caius could combine a number of aims. Firstly, as Appian points out, there would have been opportunities for direct patronage in handing out the contracts to build these roads.⁶ Furthermore, depending on when this measure was passed, it may well have fitted in with Caius' ambition to reach out to the equestrian community (see below). Secondly, there would have been the employment opportunities for those people involved in the actual construction work, which may well have translated into votes. Thirdly, there was the tangible benefit to citizens for increased transport and trade with the new roads, which also may well have translated into votes. In addition to roads, Plutarch also notes that this law commissioned the building of granaries and it is tempting to tie this in with Caius' measure around grain distribution (see below).⁷

Therefore, we can view these measures as part of a wider package of political reforms, even though they seemed to be solely centred on construction. In themselves they were solid vote winners, building infrastructure and founding colonies, as well as raising Caius' profile. On a wider aspect, they may well have fitted into Caius' attempt to court the equestrian order by providing them with greater commercial opportunities.

Trimming the Power of the Senate

The next group of laws seemed to have been concerned with subtly trimming the powers of the Senate. Firstly, Caius is believed to have passed a law stating that the Senate must determine the provinces to which the consuls were to be assigned, before the election for the consuls was held. This may seem strange, but it prevented the Senate

from rigging the consular provinces either in the favour of one consul, or to their detriment. Here he may have recalled his colleague Flaccus, who was assigned a war in Gaul, partly to prevent him from remaining in Rome to push the Italian enfranchisement question (see [Chapter Three](#)). Thus, the men standing for election would know which provinces were up for allocation if they were successful in the election, whilst still allowing the Senate to select the best man for each province out of the two men elected.

Just as important however is what this law represented. Here we see a tribune passing a law in the Assembly regulating the operating procedure of the Senate, when it came to assigning military provinces to the consuls. In many ways, it built on the use of the tribunate by Scipio Aemilianus, when he interfered with the Senate's traditional role in assigning provinces, and foreshadowed its use by Marius some twenty years later (see [Chapter Six](#)).

Perhaps the most obscure of Caius' laws is one which can only be found in two brief references by Cicero in one of his defence speeches.⁸ The exact nature of the law is not clear but it placed some duties on senators serving in juries. This may well have been superseded by his later jury proposals (see below). Although neither of these laws was as radical as the measures he later brought forward, both were subtle trimmings of the Senate's power and again subordinating the Senate to the 'will of the People' (as determined by the tribunes).

Expanding the Role of the State

Another pair of Caius' laws addressed the plight of the poorer plebeian citizens, but also expanded the role of the Roman state in relation to its remit and expense in regard to the citizenry. Traditionally, the Roman state had been a minimalist one; taxes were raised and primarily paid for the army. These taxes were abolished following the Roman annexation of Greece (167 BC) and the flow of Greek wealth into Roman coffers. Yet the role of the Roman state was still a limited one.

The first of Caius' laws in the area concerned military service, again an encroachment on the traditional role of the Senate. There seems to have been a number of provisions to this law, only some of which are known. Firstly, came the banning of recruiting men under the age of seventeen into the army, and secondly came measures changing military discipline, though we have no other details.⁹

The main part of the law involved an expansion in the role of the Roman state by organizing that (for the first time) the state would pay for all clothing and equipment that the soldiers required and that it would not be deducted from soldiers' pay. Historically, despite their vast military success, Rome possessed what was technically an amateur army raised from the citizens (and allies) for each new campaign and sent home afterwards. At the very heart of the Roman concept of their army was the image of the citizen soldier, who unlike a mercenary, fought for his homeland rather than just money, and was thus judged likely to fight harder. Thus, the Roman legionary was an amateur soldier, who either used his own equipment (usually bequeathed by father to son), or was provided with it by the state with the cost deducted from their pay. Now, however, the Roman army was equipped at the expense of the Roman state and not the individual. Thus, Caius began the process of professionalizing the Roman army and certainly expanded the role of the Roman state and its expenditure.

The second related law was perhaps one of Caius' most famous, or infamous depending on your point of view. Corn, or more importantly bread, played a central role in the diet of the poorer plebeians. Naturally, any issue with the corn harvest would create famine and hardship for Rome's poorer citizens (see [Chapter One](#)). We are fortunate to have a statement by Appian, in his work on the Punic Wars, which refers to such a shortage of grain in Rome (and presumably Italy as a whole) during Caius' tribunate.¹⁰ This shortage apparently led to riots in Rome by the poorer citizens. Never one to miss an opportunity, Caius proposed a logical, but revolutionary, step. He proposed a law (which was passed) which laid a duty upon the Roman state to provide a subsidized monthly ration of corn to all Roman citizens (presumably in person in Rome itself), now most commonly referred to as the corn dole.

Although logical, it is difficult to underestimate the impact of this law.¹¹ Until now, the Roman state had little in the way of apparatus of a modern government as we would understand it. The state organized the defence of the realm (with a citizen army), but there was no police service as we would understand it and certainly no form of welfare state. Yet here, with just one law, Caius overturned centuries of Roman tradition and committed the Roman state to buying corn in bulk and distributing it monthly, at below a market rate (six and one-third asses)¹² to any Roman citizen who wanted it (and was present in

Rome).

In the short term, we can well imagine how popular this move would have been. The poorer citizens of Rome would now no longer have to suffer from corn shortages or pay exorbitant prices on the open market. The buying power of the Roman Republic, backed up by its armies, was virtually limitless and the Roman state now guaranteed a regular and affordable supply of the most basic staple of food. This must have gone a great way to ensuring that Caius could count on the support of the urban plebeians of Rome for his policies (at least in the short term).

In the long term, we can also easily see the damage such a measure could cause. At the passing of a single law in the Assembly, the Roman state would now assist in feeding the People of Rome. Once this principle had been established it would be incredibly difficult for any Roman politician to reverse it. Even if it was reversed in the face of the hostility of the People, all it would take was one ambitious politician to propose and pass a law restoring it. Although socially advanced, Caius had committed the Roman state to a significant expenditure from its treasuries on an annual basis. The logical conclusion of this law can be found in the Roman Empire when the emperors controlled the urban populace by their policy of 'bread and circuses' (free food and free entertainment). The bread element can be traced to this year and Caius Gracchus' law on subsidized grain. Thus, we can see the impact that one man could have on the Roman Republic, through nothing more than the passing of a reforming law.

Expanding the role of the Equestrian Order

Having seemingly gained the support, albeit temporarily, of the urban plebeians of Rome with his populist measures, Caius seems to have courted another section of the Roman populace, with an eye to using them as a counter weight to the Senate, namely the equestrian order. The term 'equestrians' refers to a sub-classification of Roman citizen who, under the various ancient divisions of Roman citizenship were considered to be wealthy enough to provide their own horses for battle and thus would have acted in ancient times as Rome's cavalry. By Caius' time, though, this body of men had lost their military function, but were a class of rich non-senators.¹³ To be classed as an equestrian, one needed to have a certain level of wealth and not be a senator. In fact, many of the younger sons of the Roman aristocracy were equestrians until they started their political careers and many

equestrians were part of the aristocracy. Most commonly, equestrians were to be found as merchants and businessmen, especially after the law restricting senators from engaging in commerce (the *lex Claudia* of 218 BC, see [Chapter One](#)).

Caius proposed, and passed a law which directly benefitted at least a section of the equestrian order and again infringed on the traditional rights of the Senate. In the intervening decade between the Gracchi, the Kingdom of Pergamum, which had been bequeathed to the Roman People by its last king (see [Chapter Two](#)), had risen in revolt against Rome and following its subsequent subjugation had been transformed into the Roman province of Asia. Caius proposed that the collection of the taxes from this new province be put up for tender by the censors. Under this process, consortia of businessmen (equestrians) would bid sums of money, directly payable to the Roman state, to collect the taxes of Asia. Having paid for this right, they would then have the authority to extract whatever taxes they wanted from the province. However, the winning consortia could only make a profit by extracting more taxes from the province than the amount of their winning bid.

Clearly, there were a number of winners from this reform and one clear loser. The Roman state got the taxes from a rich province without the need to create a bureaucracy to collect it, something which the Senate seemed loathed to do. The equestrians got the opportunity to make a handsome profit from exploiting the resources of a rich province. Caius got the opportunity to extend his powerbase into a powerful and rich body of men and again extended the remit of the tribunate by organizing the affairs of a Roman province, whilst once more trampling on the prerogatives of the Senate. The clear losers in this were obviously the inhabitants of the former Kingdom of Pergamum, who now had to pay an uncertain amount of taxation to a Roman-sponsored cartel of businessmen.

There is also a passing reference to Caius passing a law connected to new custom duties, though no more details are given and the law is not mentioned elsewhere.¹⁴ Given that the equestrians were largely connected with trade, we can speculate that this law again benefitted a section of the equestrian order in some way, but without any further details we cannot press this line of argument any further.

Whilst his initial reforms connected to the equestrian order had created greater opportunities for them, Caius proposed another two reforms which were designed to place them at the very heart of the

Roman politics, whilst significantly lessening the power of the Senate. The first reform, which became law, transferred the right to be jurors in court cases from senators to equestrians. Having the sole right to be jurors in criminal cases gave the senatorial class a monopoly on judicial power; their friends could potentially be spared conviction whilst their opponents, including equestrians, could be convicted. Caius' reform reversed this situation; equestrians could now have some degree of legal immunity, whilst the senators now found themselves more liable to conviction. Furthermore, it would ensure that Caius himself would have a significant degree of immunity from successful prosecution.

A fourth proposal, which either did not become law, or if it did was never enacted, was even more radical. Caius proposed that the Senate (which had traditionally stood at 300 members for the length of the Republic, see [Chapter One](#)) be enlarged by an infusion of equestrians. Plutarch argues that Caius proposed to double it to 600 (with the addition of 300 equestrians,) whilst the Periochae of Livy, perhaps in a misunderstanding of the original text, argues that Caius proposed adding 600 equestrians to the original 300.¹⁵ The Periochae of Livy clearly dates this to the first year of Caius' tribunate. Whether Caius was serious about this proposal we will never know. At a stroke, it would have altered the balance of one of the fundamental organs of the Roman state and pack it with men who (theoretically) owed their elevation to him.

Perhaps this proposal was nothing more than a threat to the Senate to allow his other proposals to pass. In any event, Caius clearly raised the prospect of altering the composition of one of the oldest Republican institutions by popular vote. Even though Caius' proposal was never enacted, he again provided a blueprint to many of the oligarchs who were to follow; men such as Sulla, Caesar and Augustus, all of whom set about reforming the composition of the Senate to meet their own ends.

Flaccus, Gracchus and the Italian Question

The culmination of Caius' legislative programme only came in the second year of office (see below) and was proposed in conjunction with his senior colleague M. Fulvius Flaccus. Given the connection with Flaccus, it was no surprise that the proposal concerned Roman citizenship and the Italians, which had been Flaccus' concern during his consulship (125 BC, see [Chapter Three](#)). As with Gracchus' other

legislation, the exact details of the proposal are difficult to reconstruct and therefore have been open to much speculation. We have the following from our surviving sources:

‘He also called on the Latin allies to demand the full rights of Roman citizenship, since the Senate could not with decency refuse this privilege to men who were of the same race. To the other allies, who were not allowed to vote in Roman elections, he sought to give the right of suffrage, in order to have their help in the enactment of laws which he had in contemplation. The Senate was very much alarmed at this, and it ordered the Consuls to give the following public notice, “Nobody who does not possess the right of suffrage shall stay in the city or approach within forty stades of it while voting is going on concerning these laws.”’¹⁶

‘Gracchus, who proposed the admission of the Latin and Italian allies to the freedom of Rome.’¹⁷

‘He was for giving the citizenship to all Italians, extending it almost to the Alps.’¹⁸

‘further, when Caius proposed to bestow upon the Latins equal rights of suffrage.’¹⁹

‘another [law] concerned the allies, and gave the Italians equal suffrage rights with Roman citizens.’²⁰

‘but he [Flaccus] obtained the Tribunate after that and contrived to have the younger Gracchus for a colleague, with whose cooperation he brought forward other measures in favour of the Italians.’²¹

Again, it must be noted that we have no contemporary accounts of what it was that Caius proposed and some of the sources are vague about the exact nature of the proposal. Velleius (writing at the time of the Principate) has the clearest statement: ‘Caius wished to grant Roman citizenship to all Italians and even those of Cisalpine Gaul (between the Alps and the Po) who had only recently been pacified.’ Others use more opaque language and talk of rights of suffrage (voting) being granted; this is mentioned by three sources. Plutarch adds an extra nuance by saying that Caius encouraged the Latins to demand Roman citizenship.²²

The key point here is that we cannot be certain that Caius proposed extending Roman citizenship directly to all the inhabitants of Italy, and that his proposal may have been subtler than has later been portrayed. Nevertheless, as discussed earlier, extending the numbers admitted to Roman citizenship or even those eligible to vote in Roman

elections would have transformed the Roman state and been the greatest reform to the Roman political system in 200 years.

Ineffective Opposition and Re-election

One of the most striking aspects of this programme of legislation is how much of it Caius was able to pass into law, especially during his first year in office. There is no record of any tribune having ever passed such an ambitious programme of work through the Assembly. Admittedly, we know little of how much legislation the tribunes passed year on year, but nevertheless this does stand out, especially given the levels of opposition in the Senate and amongst sections of the People themselves.

Although we do not possess a clear chronology of the measures, it would be logical to assume that Caius started slowly and built up support amongst the People of Rome, to add to the rural plebeians, before moving on to his more substantial and ground breaking reforms. Nevertheless, it is striking that we hear of no opposition from amongst his nine colleagues, especially the three men who were elected before him (he was elected fourth of the ten tribunes). Furthermore, we cannot be certain of the identity of any of his nine colleagues during this first year (see [Appendix Two](#)).

Outside of the College of Tribunes though, we do hear of a number of clashes between Caius and members of the senatorial order. As discussed earlier, we first saw the prosecution of one of the consuls of 132 BC (P. Popillius Laenas), who had prosecuted allies of Caius' brother. Of the two, we know that Popillius went into exile rather than face conviction.²³ However this was related to Tiberius' tribunate and not opposition to Caius himself, who seems to have pushed through the prosecutions with no major opposition. One man who did oppose Caius in this first year was L. Calpurnius Piso Frugi, though again this opposition was a consequence of Tiberius' tribunate. Piso was a plebeian aristocrat who had been one of the two consuls in 133 BC. The enmity between the two men seemed to stem from this:

'As for Piso, many men from this family had the surname "Frugi", but the first one to be given the name was L. Piso, who passed a law about extortion and was a deadly enemy of C. Gracchus. A speech of Gracchus against this Piso still survives; it is full of insults, rather than accusations.'²⁴

We are told that Piso opposed Caius' corn law, but as we have seen,

without much success. The third case of opposition is an unusual one and Plutarch relates the following:

‘for instance, the very equitable and honourable decree concerning the grain which Fabius the Pro-Praetor sent to the city from Spain. Caius induced the Senate to sell the grain and send the money back to the cities of Spain and further, to censure Fabius for making his government of the province intolerably burdensome to its inhabitants. This decree brought Caius great reputation as well as popularity in the provinces.’²⁵

Thus, we have a measure passed by Caius (unrecorded elsewhere) concerning the running of one of the provinces of Spain. Again, we can see how Caius was extending the powers of the tribunate, from a purely Roman municipal office to one which could regulate the affairs of the provinces. It is also interesting to note that the topic of the clash seemed to be grain being sent to Rome and it is interesting to speculate on whether this was before or after Caius’ own law on subsidised grain distribution. On the one hand, it could have been a move by Caius’ opponents in the Senate to anticipate, or even undermine, his subsidised grain law. On the other, Caius may well have been making a show of standing up for the provincials, though they would not have been able to directly influence matters in Rome.

The Fabius in question was Q. Fabius Maximus (later ‘Allobrogicus’). We do not know if he had any prior history with Caius Gracchus or even his brother, but what we do know is that finding himself attacked by Caius Gracchus, far from hindering his prospects, may have actually boosted his profile amongst Caius’ opponents and saw him elected consul for 121 BC (see below). Cicero records that another Roman politician, Q. Aelius Tubero, clashed with Gracchus, with the pair giving speeches against one another; however, aside from this we have no further details.²⁶ Yet despite these four instances, Caius’ first year apparently saw little in the way of successful opposition to his programme of reforms.

Given this lack of opposition and the size of his programme of reforms, and with the example of his brother in mind, it is no surprise that Caius’ thoughts turned to a second year in office, something that had not been achieved (to our knowledge) in two centuries. However, as well as considering his own electoral future, Caius clearly took additional steps to bolster his position, by arranging for his own allies to stand for other key magistracies. Firstly, we are told that he openly canvassed for a C. Fannius to be consul for the following year (122

BC), in which he was successful. Secondly, this year saw the return of M. Fulvius Flaccus, fresh from fighting in southern Gaul against the local Gallic tribes; at the end of this campaign he returned to Rome and was granted a triumph. As we have seen earlier, Flaccus was a long-standing ally of Caius and served with him on the three-man Gracchan agrarian commission.

Yet Flaccus used this return and subsequent triumph as a springboard for a most unusual step; he stood for election as tribune and colleague of Caius. Since the plebeians had been admitted to the consulship in the fourth century BC, we have no record of any man standing for a tribunate after a consulship, the latter being the highest elected office (outside of the censorship). In Flaccus' case it is likely that this was his second tribunate (although we have no record of his first one) as it is highly unlikely that such a prominent plebeian politician would not have held the office in his earlier career.

For Flaccus, though, such a move would have had two benefits. Clearly, he had unfinished business over his proposed reform to admit the Italians into the Roman citizenship (see above). As consul, this move had been blocked when he was dispatched to fight a war in Gaul, but as tribune he was not allowed to leave Rome overnight and so had a full year at the heart of domestic politics to push this measure through once more. In many respects this decision shows the greater role which the tribune could play in domestic legislation, as opposed to the consuls (despite the latter being considered the higher position). Furthermore Flaccus, in his role as tribune, would be in a better position to help Caius push through any contentious legislation.

Thus, the elections for 122 BC saw Gracchus being re-elected as tribune along with Flaccus. For both men, this was something of an accomplishment. For Caius, it was an achievement that his brother had not been able to manage and he seemed to have been the first man in over 200 years to hold a consecutive tribunate.²⁷ For Flaccus this, too, seems to have been his second tribunate as he seems to have been the first man in at least 300 years to hold a tribunate after the consulship.²⁸

In this year (122 BC), we do know the names of some of their eight tribunician colleagues (see [Appendix Two](#)) and at least one of these, C. Rubrius, seems to have been an ally of Caius and therefore we can speculate whether any other Gracchan allies were elected with them. Appian preserves an interesting passage concerning a measure Caius immediately passed on becoming tribune for the second time, which

affected the Tribunician College itself:

‘Directly after that he was chosen Tribune for the following year, for in cases where there was not a sufficient number of candidates the law authorised the People to choose further Tribunes from the whole body of citizens.’²⁹

This is an unusual measure, as we do not hear of there being difficulty in electing sufficient numbers to the tribunate during this period of the Republic, especially in such a contentious period as this. If we accept that this law is one which he passed and not a misunderstanding on Appian’s part (selection to the tribunate being a feature of the Principate) we must ask ourselves under what circumstances he could use it? There is also the question of just who would be doing the choosing. At best, this could only have been a contingency measure if there was a serious disruption to the election process, as had been seen in 133 BC.

Interestingly, our surviving sources are quiet about the involvement of the third man of the Gracchan triumvirate: C. Papirius Carbo. He too had been a close ally of Tiberius and served with Flaccus and Gracchus on the agrarian commission. We next hear of him when he was elected as a consul for 120 BC, but interestingly we do not know when he was praetor and under the *cursus honorum*, the latest he could have held it was 123 BC (to be eligible for the consulship of 120 BC). This has left many to speculate that he did indeed hold the praetorship in 123 BC and thus provided support to Caius in his tribunate, just as Flaccus did the following year.³⁰

Effective Opposition: M. Livius Drusus

Whilst Caius may have saved his most important reforms for his second year of office, unfortunately for him he faced far more effective opposition, in the form of one of his tribunician colleagues, M. Livius Drusus. Drusus hailed from a branch of a long-standing plebeian family, with Livii holding the tribunate as far back as 320 BC (as far as we can tell). The Livii Drusi had progressed through the Republican magistracies with a C. Livius Aemilianus Drusus becoming consul in 147 BC, alongside Scipio Aemilianus himself. Thus, Drusus also came from the senatorial aristocracy, though was not as distinguished an aristocrat as Gracchus. Nevertheless, the surviving sources paint him as both a skilful politician and a fine orator and thus he seemed to be more of a match for Caius.

Having failed to successfully oppose Caius during his first year in office, his opponents clearly changed tactics and decided to fight him on his own ground; rather than simply oppose his reforms outright, they would propose their own reforms and undermine his support amongst the People. Clearly though, by adopting this tactic, many of Caius reforms which had been outright opposed now became tacitly accepted, which shows how far Caius had shaped and changed the political agenda in Rome. To this end, Drusus, with the backing of many of Caius' opponents in the Senate, proposed his own programme of reforms, borrowing heavily from Caius' programme, whilst subtly watering them down:

‘For when Caius proposed to found two colonies, and these composed of the most respectable citizens, they accused him of truckling to the People; but when Livius proposed to found twelve, and to send out to each of them three thousand of the needy citizens, they supported him. With Caius, because he distributed public land among the poor for which every man of them was required to pay a rental into the public treasury, they were angry, alleging that he was seeking thereby to win favour with the multitude; but Livius met with their approval when he proposed to relieve the tenants even from this rental. And further, when Caius proposed to bestow upon the Latins equal rights of suffrage, he gave offence; but when Livius brought in a bill forbidding that any Latin should be chastised with rods even during military service, he had the Senate’s support.’³¹

Thus we can see at least three reforms proposed and passed into law by Drusus. Firstly, there was an additional colony-building scheme, with twelve planned colonies (though we do not know how many of them were actually founded). Furthermore, these colonies were well supported in the Senate so would not have suffered from any shortage of funds which may have beset Caius'. Secondly, he proposed a law which built on Caius' public land distribution, by waiving any rents owed to the state for the land. Thirdly, he offered some practical concessions to the Italians, in the form of protection from corporal punishment. Thus Drusus clearly presented himself as a reforming tribune and one who could also deliver actual reforms to benefit the People of Rome and the Italians. Not only could he make himself as popular as Caius, but Caius could not openly oppose any of these reforms without losing support amongst those who would benefit from it.

Thus we can see the weakness in Caius' whole reform programme.

Once a reform had been made into law and his opponents had guaranteed that it would not be repealed then what would ensure that the People would still support him, having got what they wanted? This clearly seems to have applied to the equestrian order, who remained in control of the courts and retained the right to collect the Asian taxes. Furthermore, whilst appealing to the Italian peoples seemed a positive step to widen his powerbase, until they actually received the right to vote in Rome there was little they could practically do to affect the outcome in the Assembly. This point was reinforced when the consul Fannius issued an edict expelling all non-citizens from Rome itself, thus depriving Caius of any additional support:

‘The Senate was very much alarmed at this, and it ordered the Consuls to give the following public notice, “Nobody who does not possess the right of suffrage shall stay in the city or approach within forty stades of it while voting is going on concerning these laws.”’³²

‘But when a throng came together from all parts of Italy for his support, the Senate prevailed upon the Consul Fannius to drive out of the city all who were not Romans.’³³

This was the same Fannius who we are told was elected to office with Gracchus’ help and was supposedly an ally of his. Furthermore, whilst extending Roman citizenship was undoubtedly a popular move amongst the Italian peoples, it seems to have been opposed by a number of the existing citizen body, who would not have taken too kindly to seeing their rights (and potential for patronage) diluted. Thus, such a proposal from Caius was likely to alienate a number of the existing citizen body whose votes he relied on in the Assembly. Drusus’ proposal to grant the Italian peoples additional rights, which would not impinge on the existing Roman citizens, would have merely exploited this weakness. It was on this basis, having won over many of the People with his reforming credentials, that Drusus was able to successfully exercise his veto (*ius intercessio*) to stop Caius’ proposal on extending the Roman franchise to the Italians. Having proposed his own reforms, and one aimed specifically at alleviating the lot of the Italians, Caius could hardly follow his brother’s example and call for a vote on Drusus’ removal, as had been done with Octavius in 133 BC.

Thus Caius’ (and Flaccus’) flagship reform failed, on the back of a veto by a reforming tribune and a Roman populace less than enthusiastic to share the proceeds of empire. Finding himself outmanoeuvred Caius then made a tactical error. Having sponsored a

flagship overseas colony on the site of Carthage (even though his colleague Rubrius passed the law itself), Caius, in the role of one of the board established to found the colony, then left Rome to travel to North Africa to oversee its construction, despite still being in his year of office as tribune. Appian further adds that Flaccus went with him, albeit temporarily.³⁴ Clearly both men would have needed some special dispensation from the People in order to leave Rome whilst still serving as tribune (breaking one of the office's central tenets). This is only the third time we have head of tribunes being allowed to leave Rome for more than a night in Roman history, the first recorded case being in 310 BC, and the other in 204 BC.³⁵ Having left Rome, he would not be allowed to exercise his tribunician power (being outside of the Pomerium) and would have only held power relating to his position on the commission to found the colony, and perhaps his role in the ongoing agrarian commission.

The key issue here is that he left Rome and his prominent role in the Assembly, leaving the field open to his rival Drusus. Plutarch does say that Flaccus remained in Rome to defend their interests, though Appian argues that Flaccus went to Africa too.³⁶ Both sources report that Drusus used this absence to cement his own position and undermine Flaccus and Gracchus. Flaccus also seems to have been subjected to a whispering campaign surrounding his possible role in the murder of Scipio Aemilianus in 129 BC (see [Chapter Three](#)).

The Decline: The Elections for 121 BC

The sources are not clear on when Caius returned to Rome from North Africa, but it is most likely that he returned before the elections for the following year. It is at this point that our surviving sources let us down somewhat, with only one source (Plutarch) alluding to Caius' intentions for the following year. Given that his (and Flaccus') flagship proposal to extend the Roman citizenship had been defeated, and they were being stymied by Drusus, thoughts must have turned to the following year's elections, for both tribune and consul. An obvious move would have been for Caius (and perhaps Flaccus) to stand once more. Unfortunately, only Plutarch tells us that he did indeed stand for a third tribunate, with Appian strangely silent on the matter. Indeed, Plutarch himself only makes passing reference to the tribunician elections:

‘Moreover, it chanced that he had incurred the anger of his colleagues in office, and for the following reason. The People were going to enjoy

an exhibition of gladiators in the Forum, and most of the magistrates had constructed seats for the show round about, and were offering them for hire. Caius ordered them to take down these seats, in order that the poor might be able to enjoy the spectacle from those places without paying hire. But since no one paid any attention to his command, he waited till the night before the spectacle, and then, taking all the workmen whom he had under his orders in public contracts, he pulled down the seats, and when day came he had the place all clear for the People. For this proceeding the populace thought him a man, but his colleagues were annoyed and thought him reckless and violent. It was believed also that this conduct cost him his election to the Tribunate for the third time, since, although he got a majority of the votes, his colleagues were unjust and fraudulent in their proclamation and returns. This, however, was disputed.³⁷

Thus, Caius apparently clashed with a number of his colleagues (but at least two were allies of his) over an apparent trivial matter: seating at a gladiatorial show. Nevertheless, it is clear that Caius was not elected to the tribunate for 121 BC. We can rightly question whether this was due to fraud or his growing unpopularity amongst the plebeians of Rome? Furthermore, we would have expected his supporters to have protested or vetoed the election results if there were fraud.

A further piece of evidence comes in the form of the elections for the consuls for 121 BC. Whereas the previous year Caius had been able to successfully have one of his allies elected as consul (C. Fannius), on this occasion it was the opposite. The two consuls elected were both noted opponents of Caius: L. Opimius and Q. Fabius Maximus. Fabius was the same man who had previously been publicly admonished by Caius for sending grain from Spain to Rome (see above), whilst Opimius apparently campaigned on an openly anti-Gracchan platform, apparently spurred on by his frustration at the consular elections the previous year when he was beaten by Caius' favoured candidate (C. Fannius).³⁸

Thus we can see the damage that Caius' opponents and M. Livius Drusus in particular had done to him during this year and especially when he was absent from Rome. Caius was now out of office and had no vehicle for passing any of his further reforms, with it being at least a decade before he could stand for the consulship. Furthermore, with two openly hostile consuls, Caius' existing laws were now in danger of being overturned. Therefore, far from advancing his reform agenda, Caius would now have to defend the reforms that had already been

passed.

Backlash and Bloodshed (121 BC)

It seems that Caius (and Flaccus) did not have long to wait for the backlash against their reforms. We only know the identity on one of the tribunes of 121 BC with any certainty: (M.?) Minucius Rufus (see [Appendix Two](#)). Rufus, it seems, wasted no time in attempting (and possibly succeeding) in repealing a number of Caius' laws. Exactly which laws are not clear, though the ones which benefitted the equestrian order seem to have been left in place. Rufus was joined in this by the consul Opimius, who also championed the repeal of Caius' reforms. Matters seem to have come to a head when the Senate and Rufus proposed to repeal the *lex Rubria*; the law which created the new Roman colony at Carthage:

'The functionaries who were still in Africa laying out the city wrote home that wolves had pulled up and scattered the boundary marks made by Gracchus and Fulvius, and the soothsayers considered this an ill omen for the colony. So the Senate summoned the Comitia, in which it was proposed to repeal the law concerning this colony. When Gracchus and Fulvius saw their failure in this matter they were furious, and declared that the Senate had lied about the wolves. The boldest of the Plebeians joined them, carrying daggers, and proceeded to the Capitol, where the Assembly was to be held in reference to the colony.'³⁹

Thus Gracchus and Flaccus were faced with the loss of their flagship overseas colony and the very public dismantling of their reform programme. Exactly what happened next is disputed by the sources, usually dependent on whether they used a pro- or an anti-Gracchan source themselves. What is clear is that Gracchus and Flaccus gathered together a group of (armed) supporters and they then moved to the Capitol on the day of the Assembly where the repeal of the law would be debated. Clearly Caius and Flaccus wanted to prevent the repeal of the law, possibly by disrupting the Assembly itself. However, as is often the case, things did not go according to plan. Appian describes the subsequent events:

'Just then a Plebeian named Antyllus, who was sacrificing in the portico, saw him in this disturbed state, laid his hand upon him, either because he had heard or suspected something, or was moved to speak to him for some other reason, and begged him to spare his country.

Gracchus, still more disturbed, and startled like one detected in a crime, gave the man a sharp look. Then one of his party, although no signal had been displayed or order given, inferred merely from the angry glance that Gracchus cast upon Antyllus that the time for action had come, and thought that he should do a favour to Gracchus by striking the first blow. So he drew his dagger and slew Antyllus. A cry was raised, the dead body was seen in the midst of the crowd, and all who were outside fled from the temple in fear of a like fate.’⁴⁰

Just who this Q. Antyllus was has been much debated. Several sources describe Antyllus as being a herald of the consul Opimius.⁴¹ This may have been a later embellishment, but it would explain why the man was killed, if he was an agent of the consul and had been carrying a message from him. Following the murder though, Gracchus, Flaccus and their supporters descended into the Assembly and successfully disputed it, overriding the presiding tribune: ‘Gracchus descended to the Forum and impudently called the Assembly away from the Tribune.’⁴²

Though Gracchus and Flaccus had ostensibly achieved their aim in disrupting the Assembly and preventing the repeal of the *lex Rubria*, the public murder of Antyllus, a Roman citizen, and possibly an attendant of the consul, had clearly played into his opponent’s hands. The disruption seems to have come late in the day, and Gracchus and Flaccus apparently returned to their homes to await the turn of events.

The Battle for Rome (121 BC)

The consul Opimius seemingly wasted no time. Throughout the night, he arranged for an emergency meeting of the Senate to take place the next morning, during which, if we are to believe Plutarch, he stage managed a condemnation of Gracchus and Flaccus, though Appian gives a far more sober account.⁴³ Aside from the rhetorical flourishes the most important aspect to come from these accounts is the role of the Senate and its passing of a decree (a *senatus consultum*) authorising Opimius to ‘defend the Republic’:

‘Then the Senators went back into the Senate House, where they formally enjoined upon the Consul Opimius to save the city as best he could, and to put down the tyrants.’⁴⁴

‘The Senate once passed a decree that Lucius Opimius, the Consul, should take care that the Republic suffered no injury.’⁴⁵

‘Because Lucius Opimius the Consul has made a speech concerning

the Republic, the Senators have thus decided on that matter, that Opimius the Consul shall defend the Republic. The Senate adopted these measures in words, Opimius followed them up by his arms.’⁴⁶

‘but, after the Senate had decided to summon the people to arms’⁴⁷

The sources are referring to what has become known as the final or ultimate decree of the Senate (the *senatus consultum ultimum*) which supposedly authorized the named individual to take any or all actions to save the state; a temporary state of emergency in modern parlance, with the suspension of existing laws and civil liberties. In this case, the laws would have been those on *provocatio* (the right to trial before arbitrary punishment), not to mention tribunician sacrosanctity and the tribunician power of *auxilium* (veto on actions affecting the person). We must remember that senatorial decrees on their own had no force of law, they were merely an agreed opinion of the Senate. On this occasion, the consul Opimius, was still put on trial for his actions, but acquitted. This is widely considered to be the first occasion the Senate used this ‘ultimate’ decree and Lintott provides a fine summary of this unusual Senatorial prerogative,⁴⁸ though some have argued that it was a long-standing (if neglected) power.⁴⁹

The other consul, Q. Fabius Maximus, is not mentioned in connection with these events and may have already left to take up his consular province (in Gaul). Duly charged by the Senate to defend the Republic, Opimius began to assemble a military force in Rome itself: ‘The Consul therefore ordered the Senators to take up arms, and every member of the Equestrian Order was notified to bring next morning two servants fully armed.’⁵⁰

The first move seems to have been made by Opimius, when he summoned Flaccus and Gracchus to appear before the Senate and answer the charges laid against them. Neither man had been summoned to Opimius’ earlier emergency Senate meeting it seems, though both were senators. The sources are conflicted on what Gracchus and Flaccus were doing whilst Opimius was making his preparations. If anything, it seems that it was Flaccus, the ex-consul and the man with triumph to his name, who took the lead in the actions which followed. Rather than submit to their enemies in the Senate, Flaccus it seems at least was determined to make a fight of it. Thus, Rome itself was to be the stage of an armed conflict between two sides of a political argument within the senatorial elite:

‘When day came, Fulvius [Flaccus] was with difficulty roused from his drunken sleep by his partisans, who armed themselves with the spoils

of war about his house, which he had taken after a victory over the Gauls during his Consulship, and with much threatening and shouting went to seize the Aventine hill. Caius, on the other hand, was unwilling to arm himself, but went forth in his toga, as though on his way to the forum, with only a short dagger on his person.⁵¹

‘When these arrangements had been made the Senate summoned Gracchus and Flaccus from their homes to the Senate-House to defend themselves. But they ran out armed toward the Aventine hill, hoping that if they could seize it first the Senate would agree to some terms with them. As they ran through the city they offered freedom to the slaves, but none listened to them. With such forces as they had, however, they occupied and fortified the Temple of Diana, and sent Quintus, the son of Flaccus, to the Senate seeking to come to an arrangement and to live in harmony.’⁵²

Thus Flaccus and Gracchus chose a strong defensive position on the Aventine Hill, but also one that was highly symbolic. The Aventine Hill was the sacred centre of the plebeian order; the site of previous plebeian secessions during the early centuries of the Republic and the ‘Struggle of the Orders’ (see [Chapter One](#)). Nevertheless, their military position was a weak one. Opimius had assembled a force composed of a number of professional troops – Cretan archers and men-at-arms – as well as the armed followers of his supporters in the Senate. Flaccus and Gracchus only seem to have had a handful of armed supporters and certainly could not match professional troops with ranged weapons.

Held up in a defensive position in the Temple of Diana on the Aventine, Flaccus and Gracchus sent a herald to the Senate to open negotiations. As described by the sources the herald they chose was Flaccus’ younger son: ‘The young man was very fair to look upon; and now, in a decorous attitude, modestly, and with tears in his eyes, he addressed conciliatory words to the Consul and the Senate.’⁵³

Yet such a tactic apparently had no effect on Opimius, who ordered that Flaccus and Gracchus needed to come to the Senate House in person. According to Plutarch, Gracchus was willing, but Flaccus was not and when he sent his son a second time to the Senate, Opimius had him arrested.⁵⁴ With the formalities over, Opimius pressed home his military advantage and attacked the Aventine with his professional troops:

‘But Opimius, who was eager to join battle, at once seized the youth and put him under guard, and then advanced on the party of Fulvius

with numerous men-at-arms and Cretan archers. And it was the archers who, by discharging their arrows and wounding their opponents, were most instrumental in throwing them into confusion.’⁵⁵

Given the disparity in forces, professional well-armed soldiers versus lightly armed civilians, the outcome was inevitable and the defenders were overwhelmed. We have no figures for the forces involved but Orosius does state that ‘two hundred and fifty members of Gracchus’ supporters are said to have been killed on the Aventine Hill.’⁵⁶ We do know, however, that the Gracchan/Flaccan forces put up stiff resistance, as a notable casualty on the Opimian side was the Princeps Senatus, P. Cornelius Lentulus, who was reported seriously (though not mortally) wounded.⁵⁷ With their forces overwhelmed, both Flaccus and Gracchus fled the Aventine separately. Flaccus fled with his eldest son, and took refuge nearby, but they were flushed out by Opimius’ troops and murdered in cold blood:

‘Flaccus took refuge in the workshop of an acquaintance. As his pursuers, did not know which house he was in they threatened to burn the whole row. The man who had given shelter to the suppliant hesitated to point him out, but directed another man to do so. Flaccus was seized and put to death.’⁵⁸

Gracchus fled with two friends, named as Pomponius and Licinius/Laetorius, who fought a brave rearguard action to ensure he was able to escape:

‘So then, as Caius fled, his foes pressed hard upon him and were overtaking him at the wooden bridge over the Tiber, but his two friends bade him go on, while they themselves withstood his pursuers, and, fighting there at the head of the bridge, would suffer no man to pass, until they were killed.’⁵⁹

‘To facilitate his [Gracchus’] escape, Pomponius for some time held up the throng of pursuers at the Gate of Three Arches, fighting desperately, nor could he be driven back alive; exhausted by many wounds, he gave them a passage over his corpse; unwillingly I believe, even after his death. As for Laetorius, he took his stand at the Pons Sublicius and barricaded it with his spirit’s ardour until Gracchus crossed; finally, overwhelmed by force of numbers, he turned his sword against himself and with a rapid leap sought his death of the Tiber.’⁶⁰

Unfortunately for Gracchus, his friends’ sacrifice did not allow him to escape from Rome. Tracked down by his pursuers, and only with a

servant for company, he sought refuge in the sacred Grove of the Furies where he met his death. Plutarch reports that there were two stories circulating about Gracchus' death: either he ordered his servant to kill him or he was taken alive and executed by Opimius' men.⁶¹ However he died, there was a grizzly postscript:

'Someone cut off the head of Caius, we are told, and was carrying it along, but was robbed of it by a certain friend of Opimius, Septimuleius; for a proclamation had been made at the beginning of the battle that an equal weight of gold would be paid the men who brought the head of Caius or Fulvius. So Septimuleius stuck the head of Caius on a spear and brought it to Opimius, and when it was placed in a balance it weighed seventeen pounds and two thirds, since Septimuleius, besides showing himself to be a scoundrel, had also perpetrated a fraud; for he had taken out the brain and poured melted lead in its place.'⁶²

The deaths of Gracchus and Flaccus did not end the bloodshed or the vengeance taken upon their families:

'The bodies of Caius and Fulvius and of the other slain were thrown into the Tiber, and they numbered three thousand; their property was sold and the proceeds paid into the public treasury. Moreover, their wives were forbidden to go into mourning, and Licinia, the wife of Caius, was also deprived of her marriage portion. Most cruel of all, however, was the treatment of the younger son of Fulvius, who had neither lifted a hand against the nobles nor been present at the fighting, but had come to affect a truce before the battle and had been arrested; after the battle he was slain.'⁶³

'The heads of Gracchus and Flaccus were carried to Opimius, and he gave their weight in gold to those who brought them, but the People plundered their houses. Opimius then arrested their fellow-conspirators, cast them into prison, and ordered that they should be strangled; but he allowed Quintus, the son of Flaccus, to choose his own mode of death.'⁶⁴

Thus a dispute about political reform amongst the Roman elite escalated into armed conflict on the streets of Rome and the slaughter of a number of prominent Roman politicians and their families.

The Bloody Aftermath: 121–120 BC

Plutarch's version of events has the consul Opimius purging Rome of any and all Gracchan supporters (presumably those that hadn't fled):

‘The Consul Opimius proved to be as cruel in the subsequent enquiry as he had been brave in the fighting, for he punished by execution over three thousand men, the majority of whom were innocent and had not even been allowed to state their case.’⁶⁵

‘And yet this Opimius, who was the first Consul to exercise the power of a Dictator, and put to death without trial, besides three thousand other citizens’⁶⁶

Thus it seems that Opimius used his remit to round up a number of Gracchan supporters, and have them executed without trial. We do not hear of any notable senatorial casualties amongst them, and must assume that the majority were ordinary plebeians. Having put down this supposed sedition in a most brutal way, Opimius then immortalized his ‘victory’ by restoring the Temple of Concord in the Forum, an act which did not sit well with everyone in Rome:

‘for it was felt that he was priding himself and exulting and in a manner celebrating a Triumph in view of all this slaughter of citizens. Therefore, at night, beneath the inscription on the Temple, somebody carved this verse: “A work of mad discord produces a Temple of Concord.”’⁶⁷

Plutarch does also include a final section on how posterity treated the memory of the three principal men involved:

‘Opimius could not keep his hands from fraud, but when he was sent as ambassador to Jugurtha the Numidian was bribed by him, and after being convicted most shamefully of corruption, he spent his old age in infamy, hated and abused by the People, a People which was humble and cowed at the time when the Gracchi fell, but soon afterwards showed how much it missed them and longed for them. For it had statues of the brothers made and set up in a conspicuous place, consecrated the places where they were slain, and brought thither offerings of all the first fruits of the season, nay, more, many sacrificed and fell down before their statues every day, as though they were visiting the shrines of gods.’⁶⁸

We do not know how much of Gracchus’ legislation was allowed to stand. Certainly, the colony at Carthage seems to have been abandoned. It does seem, however, that the most important and contentious of the reforms were allowed to stand; notably the gains made by the equestrian order and the subsidized corn to the urban plebeians. Despite Opimius’ military crackdown in Rome, he would have soon had to disperse his troops and would have faced significant political opposition in the Assembly in removing hard-won gains for

the two groups of vested interest: the equestrians and the People. We also know that one of Gracchus' most high-profile actions, the exiling of P. Popillius Laenas, was overturned (most likely this year), by one of the Tribunes, L. Calpurnius Bestia,⁶⁹ who ironically found himself exiled a decade later by a tribunician-inspired special commission (see [Chapter Six](#)).

The mood in Rome must have been lifted by military success on Rome's borders. A consul of 123 BC (Q. Caecilius Metellus 'Balliaricus') returned to Rome to celebrate a triumph for his subjugation of the Balearic Islands, which were added to Rome's growing empire. The other consul of this year (Q. Fabius Maximus) also won an important victory against an alliance of southern Gallic tribes, the Allobroges, Ruteni and Arverni, strengthening Rome's hold over southern Gaul.

The elections for the following year (120 BC) threw up some interesting candidates, which may reflect on the polarization of Roman politics seen this year. The most notable election was of C. Papirius Carbo, the third (and now only surviving) member of the Gracchan agrarian commission, to the consulship for 120 BC. Clearly, he had not taken part in the clashes of this year and perhaps he was not even in Rome, possibly fulfilling his duties as an agrarian commissioner. Whatever the reason, he survived the massacre of the Gracchan supporters and was able to harness the popular feeling to win a consulship. However, if he was elected by those who wanted him to continue with the Gracchan programme or even avenge the murders of the Gracchan supporters, they were to be disappointed. The only action we have on record for Carbo during his consulship is the defence of Opimius himself from a charge of illegally putting citizens to death, highlighting the uncertain legal status of the *senatus consultum ultimum* (see above). Thus, it seems that Carbo had no wish to enflame existing tensions and was content to serve out a peaceful consulship.

The same could not be said of the tribunes of this year, however. We know the identity of one tribune of 120 BC (P. or Q. Decius),⁷⁰ who took up the Gracchan cause and launched a prosecution of the now ex-consul Opimius for executing Roman citizens without trial. The prosecution was not successful though, with the consul Carbo, the most notable surviving Gracchan supporter, defending Opimius. Although the prosecution of Opimius failed, one notable victim of this year was the Princeps Senatus himself (P. Cornelius Lentulus). He

seems to have been one of the senatorial leaders of the assault on the Aventine and was seriously wounded in the fighting. Although he was not prosecuted it seems that he was hounded out of Rome:

‘For he was forced by ill will and backbiting to obtain a commission from the Senate and, after holding a public meeting in which he pledged to the immortal gods that he would never return to the ungrateful city, left for Sicily. There steadfastly he stayed and so gained his wish.’⁷¹

Thus, like Scipio Nasica a decade earlier, a senior Roman politician (and the most senior Roman senator) was forced from Rome and died in exile. One notable winner from this period was M. Livius Drusus, who was able to use the popularity he gained during his year of office to propel himself to a highly successful political career. We do not hear of his involvement in the bloodshed of 121 BC at all, but he next appears as praetor in 115 BC and then consul in 112 BC, when he became governor of Macedon and was awarded a triumph for a victory over the Scordisci. He finished his career as censor for 109/108 BC and died in office, an event which ironically sparked off another clash between his colleague and the tribunes of that year (see [Chapter Five](#)).

However, aside from Drusus, these incidents show that despite the massacre of 121 BC there were still many willing to take up the Gracchan cause and that the deaths of Flaccus and Gracchus were not the end of the matter. There would always be some aspiring Roman politician who would take up the cause of reform and use the tribunate to try to make a name for himself. It was against this backdrop that the tribunes of 119 BC were elected, one of whom was an aspiring Roman politician of Italian descent, who had fought with Scipio Aemilianus and thus was personally acquainted with Caius Gracchus; a man by the name of C. Marius.

Summary

We can see that this period was of a far greater significance than the tribunate of Tiberius Gracchus, both in terms of the reform programme and the bloodshed it ended in. Whereas Tiberius’ tribunate was marked by his struggle to pass a single law, Caius Gracchus arrived with a full programme of reforms in mind, which given the time he had to prepare for his tribunate is not surprising. Again, whilst Tiberius’ law was ostensibly aimed at alleviating the

condition of the poorer plebeians and solving a perceived military recruitment issue, Caius' laws seem to be more of a wholesale reformation of the Roman Republic. His reforms centred on such key issues as the role of the equestrian order in Roman politics, the Italian citizenship question, the state's attitude and responsibility to the urban poor and the composition of juries. Therefore, Caius took a far greater role than his brother and was the first man to use the tribunate and its powers to attempt to redesign the Roman Republic.

Clearly Caius was not on his own in wanting to reform the Republic, and we can see that he was supported by a number of senior Roman senators, most notably M. Fulvius Flaccus. Caius' tribunate seems to be a mirror into the debates that were taking place within the Roman political elite about the need to reform. In the figure of Caius, they had someone with both the magisterial power to push through these reforms, combined with the personal desire to see them through and the 'star quality' to attract enough popular support.

The bloody end of this period is an interesting reversal of that of Tiberius Gracchus. In 133 BC, a group of senators took the law into their own hands seeing it as their only option to stop Tiberius, as he was on the threshold of a second tribunate. On this occasion, however, Caius achieved his second tribunate apparently without issue, but was stopped by his enemies changing tactics and countering his reforms with ones of their own. Thus by 121 BC, Gracchus and Flaccus had been neutralized politically. The situation only turned violent when the two men and their supporters attempted to defend their reforms from their opponents who were trying to overturn them. This time it was Gracchus who had no constitutional means of stopping his opponents, and had to resort to violence.

Once again though, the period was marked by an apparent refusal of both sides to compromise. Gracchus seemingly pushed through his reforms in his first year of office in the face of ineffective opposition. However, by his second year in office, his opponents had become more organized and Gracchus found himself blocked and then out of office. Rather than wait until a new office could be gained, either for himself or his supporters, he and Flaccus chose to defend their reforms with violence rather than through constitutional means.

In response, his opponents in the Senate, and the consul Opimius in particular, formalized the tactic of labelling political opponents as 'enemies of the state', with the passing of a formal senatorial decree (*senatus consultum*). Whilst it could not formally suspend the laws

protecting Roman citizens from arbitrary punishment, it did lend the whole political and religious weight of the Senate behind whatever measures were taken.

Thus we can see this period saw an escalation of all the issues involved. The reform programme put forward was of a far greater magnitude, as was the response: a formal labelling of Roman senators as 'enemies of the state' and far more organized acts of violence against these men. Whilst 133 BC had seen a lynching, 121 BC saw fully armed troops on the streets of Rome and a battle in Rome itself with the losers being hunted down and executed, followed by an organized elimination of their supporters. Whether this escalation would be a one-off would be dependent on the men who followed.

FROM BLOODSHED TO CIVIL WAR (119–91 BC)

Chapter Five

Political Reform in the Gracchan Shadow (119–108 BC)

The period that followed the bloodshed of 121 BC is not well served by our surviving sources and what we do know we have to piece together from various snippets recorded in passing. Yet what the snippets reveal is that although there was no further bloodletting, Roman politics was still as fractious as the previous decade. Nor had the bloodshed curbed the instincts of various tribunes, both named and unnamed in our sources, to push for political (and military) reform. For much of the decade that followed the bloodshed, Roman politics seems to have been grappling with the legacy of the Gracchi. This was followed by a decade dominated by a crisis on Rome's imperial borders with military reversals in both mainland Europe and North Africa, which in turn created a political backlash at home. This backlash was manipulated by two men in particular: C. Marius and L. Appuleius Saturninus.

The Tribunate of C. Marius (119 BC)

We only know one tribune of the following year (119 BC), an Italian nobleman with Roman citizenship: C. Marius. Marius had followed a path which many Italian nobles did when entering into the Roman system. He had served in Numantia under Scipio Aemilianus, at the same time as Caius Gracchus (see [Chapter Two](#)), and had then entered Roman politics, rising through the junior magistracies. He had already held the quaestorship; the date is unknown, but it may well have been during the turbulent tribuneships of Caius Gracchus himself (123–122 BC). He had also secured the patronage of a great Roman family (in this case the Metelli), who were the dominant political faction in Rome at the time. Up to this point it had been an unremarkable career and a path which many Italian noblemen had followed on their entrance into Roman politics.

We have no way of knowing whether Marius knew Caius Gracchus, though certainly they had both served in Numantia under Scipio Aemilianus and had probably held magistracies at the same time (quaestorship and tribunate). Yet Marius was older than Gracchus (being around 36 or 37 when elected) and moved in far less exalted

circles than the son of a consul. For Marius, the tribunate was merely another stepping stone as he rose through the ranks of the junior offices of state and gained a place in the Senate. Yet, as we have seen, Roman politics was in a volatile state and Marius seems to have seen an opportunity to make a name for himself. To those ends he proposed a modest reform, yet seems to have followed Tiberius Gracchus' methods for overcoming legitimate opposition.

The proposed law concerned the process of voting, which had seen several reforms passed during the 130s BC by other tribunes (see [Chapter Two](#)). In this case, it seemed a simple enough reform, namely a proposal to narrow the physical voting lanes through which each voter passed when casting their ballot.¹ This seemed a simple enough measure on the face of it, yet the opposition it received indicated otherwise and many have seen this reform as being aimed at reducing Roman patrons' ability to view how their clients were intending to vote (by watching them as they filed through to cast their ballot). Cicero argued that the intention may have been to 'interfere with the buying of votes'.²

Nevertheless, at best this was a modest reform and barely worthy of note in itself. Yet the method Marius used to ensure it passed into law highlights the confrontational nature of Roman politics in the post-Gracchan era:

'While serving as Tribune he introduced a law concerning the mode of voting, which, as it was thought, would lessen the power of the nobles in judicial cases; whereupon Cotta the Consul opposed him and persuaded the Senate to contest the law, and to summon Marius before it to explain his procedure. The Senate voted to do this, and Marius appeared before it. He did not, however, behave like a young man who had just entered political life without any brilliant services behind him, but assumed at once the assurance which his subsequent achievements gave him, and threatened to have Cotta off to prison unless he had the vote rescinded. Cotta then turned to Metellus and asked him to express his opinion, and Metellus, rising in his place, concurred with the consul; but Marius called in the officer and ordered him to conduct Metellus himself to prison. Metellus appealed to the other Tribunes, but none of them came to his support, so the Senate gave way and rescinded its vote. Marius therefore came forth in triumph to the People and got them to ratify his law.'³

Therefore, we have the extraordinary scene of Marius, having been summoned into the Senate (a body he either aspired to join, or

recently had) by the consuls and responding by ordering the imprisonment of both consuls, one of whom was a prominent member of the family which sponsored his career. Again, as the representative of the People, Marius had the power to do so (within the boundaries of the city), but it again shows the lengths that a young politician would go to, to ensure his measure was passed into law. On this occasion, the other nine tribunes backed him, forcing the consuls to relent and the measure was passed into law.

Clearly such actions would have certainly made Marius a name for himself, but they would not have endeared him to either the Senate or the Metelli in particular, which would have had an impact on his subsequent political career. Yet not content with this, Marius got himself entangled in another controversy when he became involved with Caius Gracchus' corn dole. According to Plutarch, a proposal was made concerning the corn dole, though the details are unclear:

‘For when a law was introduced providing for the distribution of grain to the citizens, he [Marius] opposed it most strenuously and carried the day, thereby winning for himself an equal place in the esteem of both parties as a man who favoured neither at the expense of the general good.’⁴

We don't know who proposed the law or the details, the most obvious conclusion is that it was proposed by one of his fellow tribunes and that it concerned Caius Gracchus' law concerning distributing corn at a subsidized price to the People (see [Chapter Four](#)). What we do know is that Marius successfully opposed this proposal. Plutarch describes this as being even handed; others would describe it as politically reckless as he had now offended elements of both the Senate and the People in the same year.

Unsurprisingly, Marius' subsequent political career suffered, with a failed election for aedile and barely being elected praetor for 115 BC (in last place), after which he faded into political obscurity for the next seven years, eventually regaining the patronage of the Metelli. From this cameo, only preserved due to Marius' later fame, we can see that the rough and tumble of Roman politics continued. Tribunes were still willing to pass voting reforms which benefitted the People and were able to openly defy the will of the Senate. We can also see that Caius Gracchus' reforms were still being argued over and attempts being made to modify them.

The Last of the Gracchans (C. Papirius Carbo): 119

BC

The legacy of the Gracchi was raised in the other notable event from this year: the trial and death of C. Papirius Carbo, the last of the leading Gracchans. Carbo's fortunes had fluctuated wildly in the previous two years. He had survived the massacre of the Gracchan supporters of 121 BC, despite being a prominent Gracchan ally with ties to both Tiberius and Caius. He had even been able to secure one of the consulships for 120 BC, probably on the back of a pro-Gracchan backlash by the People. His one recorded act as consul was to defend L. Opimius, the man who had led the massacre of the Gracchan supporters the year before, which may have gone down well in the Senate, but would not have endeared him to the surviving Gracchan supporters.

We do not know if he served in a province during his consulship, but what we do know is that once he left office, he was charged with treason, his accuser being P. Licinius Crassus. Cicero makes a number of references to the case but the actual details are unclear.⁵ What is clear is the outcome; rather than be convicted, he chose suicide (by poison). Thus, the last of the prominent Gracchan leaders was hounded to his death just one year after achieving the highest office, which in many ways made him the final casualty of the Gracchan period. His death also removed the last known Gracchan agrarian commissioner and we do not know if the commission continued with its work or was abandoned.⁶

The Legacy of the Gracchi: Land Reforms (119–111 BC)

We know that in the years that followed 120 BC there were a number of laws passed which modified and watered down the Gracchan land laws. However, without a surviving narrative source we lack both clear detail and the identities of those involved. Nevertheless, we can piece together the basic outline. Appian provides us the most detail:

‘Not long afterward a law was enacted to permit the holders to sell the land about which they had quarrelled; for even this had been forbidden by the law of the elder Gracchus. At once the rich began to buy the allotments of the poor, or found pretexts for seizing them by force. So the condition of the poor became even worse than it was before, until Spurius Thorius, a Tribune of the People, brought in a law providing that the work of distributing the public domain should

no longer be continued, but that the land should belong to those in possession of it, who should pay rent for it to the People, and that the money so received should be distributed; and this distribution was a kind of solace to the poor, but it did not help to increase the population. By these devices the law of Gracchus – a most excellent and useful one, if it could have been carried out – was once for all frustrated, and a little later the rent itself was abolished at the instance of another Tribune. So the Plebeians lost everything, and hence resulted a still further decline in the numbers both of citizens and soldiers, and in the revenue from the land and the distribution thereof and in the allotments themselves; and about fifteen years after the enactment of the law of Gracchus, by reason of a series of lawsuits, the People were reduced to unemployment’⁷

Therefore, in Appian’s narrative we have three stages. Firstly, there was an unknown law which allowed the recipients of the public land distributed by the Gracchan agrarian commission to sell their land. This overturned a provision of the Gracchan land legislation (most likely Tiberius’). This was followed by an undated tribunician law by Sp. Thorius,⁸ which stopped the land distribution of the agrarian commission, but stated that those in possession of the public land should pay a rent for it to the state. Finally, there was a third tribunician law which abolished the rent itself. Interestingly, Appian puts all three laws within fifteen years, but is not clear when his start date is. It could have been the reforms of Tiberius Gracchus in 133 BC or his brother in 123–122 BC. This means that these reforms could have been enacted over the period 133–118 BC or 123–108 BC, which makes a significant difference to the context of the period. Cicero makes two references to the Thorian law in passing, the second one of which contradicts Appian:

‘When there was debate in the Senate about the public lands, more specifically about the Thorian law’⁹

‘P. Torius, on the other hand, was distinguished by his popular way of speaking; the very same man, who, by his corrupt and frivolous law, diminished the taxes which were levied on the public lands.’¹⁰

Thus, for Cicero, Torius (Thorius) passed the law which removed the rent on the public lands, which according to Appian came after Thorius’ law.¹¹ Thus we can see the problems in reconstructing the events of this period. Added to this confusion is a famous agrarian law of 111 BC, which comes from a surviving inscription.¹² The obvious question and one which has taxed minds ever since it was found, is

whether this law was one of the three referred to by Appian.

So we have three distinct pieces of evidence about fresh reforms being passed which either built on, or diminished, the land laws of the Gracchi. Naturally, historians have been trying to reconcile these three distinct pieces of evidence and build a coherent picture from them. Unfortunately, none have yet succeeded, in which case this work is not the place to make another attempt and there exist a number of works on this topic.¹³ What we can take away from this, other than the fragmented state of our surviving sources, is that the land reform question remained a key political battleground throughout this period and in particular the decade that followed the Gracchi.

Throughout this whole period of domestic politics, Roman armies continued to campaign on the fringes of their empire, most notably in the north (in Gaul, Illyria and Thrace) defending Roman interests against the tribes of the regions. Yet from 113 BC, Roman military fortunes underwent what can only be described as a crisis, which saw major losses on multiple fronts.¹⁴ In 113 BC, the consul Cn. Papirius Carbo attacked and was heavily defeated by a migrating tribe (the Cimbri) from the north at the Battle of Noreia. The years that followed saw increasing pressure on Rome's northern frontier from both the tribes of the Cimbri and the Teutones, culminating in one of the Republic's heaviest ever defeats at the Battle of Arausio in 105 BC. These defeats on Rome's northern borders coincided with a war in North Africa, against Rome's oldest ally in the region, the Kingdom of Numidia. Such a series of military setbacks led to a backlash at Rome, and to a series of political and military reforms which would profoundly affect and shape the Republic, and which ultimately led to Roman soldiers being deployed on the streets of Rome – and another political massacre.

Sex. Peducaeus and the Rise of the Special Courts (113 BC)

The earliest of these reforms took place in 113 BC and once again concerned judicial matters, though was sparked by a relatively unremarkable event. Various Roman magistrates had the right to prosecute individuals including the Tribune itself. Yet judicial matters had always been an ad hoc arrangement with no standing courts as such. It was Caius Gracchus who introduced a key reform to the Roman judicial system, by overturning centuries of tradition and

transferring the composition of juries from senators to equestrians (see [Chapter Four](#)). Yet this year saw a further reform which continued this process of power transferring away from the senatorial elite. The tribune Sex. Peducaeus passed a law to create a special court and special prosecutor with powers to try those accused of a particular crime, who had already been tried in the hitherto accepted manner.

The event that triggered this reform was a minor one; in 114 BC, three Vestal Virgins were tried on a charge of sexual misconduct. Given their status, they were tried before a gathering of pontifices (priests), headed by the Pontifex Maximus (L. Caecilius Metellus 'Delmaticus'). One was convicted, but the other two were acquitted. It seems however that there was such a popular outrage at the acquittals, that a tribune (Sex. Peducaeus) saw an opportunity and proposed (and passed) a law to establish a special commission to try the Vestal Virgins again and any others involved.¹⁵

Peducaeus does not seem to have hailed from an aristocratic family and he is the first recorded member of the family to hold Roman office.¹⁶ What is important here is not the subject matter, the chastity of three Vestal Virgins (who were subsequently all found guilty and executed, along with their lovers), but the fact that a tribune, by popular vote, had overturned a pontifical tribunal's decision, headed by the Pontifex Maximus himself, and set up a special court to try these cases. Thus we can see that the tribunes were again overturning the established order and expanding their powers to set up special courts to try particular crimes. This was an example which was to be followed shortly in a far more overtly political manner. As for Peducaeus himself, he is not recorded as holding further office, though another five members of the family can be found holding office in the later Republic, eventually reaching the consulship in 35 BC.

Memmius and the Outbreak of the Jugurthan War (112/111 BC)

Despite facing pressure from migrating tribes in both Gaul and Thrace in the north, Rome became entangled in a dynastic dispute in the North African Kingdom of Numidia, Rome's oldest ally in the region. Rome had built up Numidia as a powerful counterweight to Carthage, but found that the latter's destruction in 146 BC meant that Numidia was the sole superpower of North Africa. Nevertheless, relations between the two states remained peaceful with Numidia always

acknowledging Rome as its patron. This was to change in this period following the death of the Numidian King Micipsa in 118 BC. Following his death, his kingdom was split between his three sons, with Rome acting as guarantor of the late king's will. Unfortunately, this settlement soon broke down and a civil war broke out between the three Numidian princes, with the most active protagonist being Prince Jugurtha.

In the years that followed a number of senatorial commissions were sent to North Africa to quell the fighting, with little success, but the Senate demonstrated an unwillingness to get Rome entangled in a civil war in North Africa. Whilst this was an entirely rational decision, especially given the tense situation on Rome's northern borders, many amongst the populace believed, perhaps accurately, that a number of senators were accepting bribes from Prince Jugurtha to not intervene militarily.

Here we can see parallels to the events of 113 BC, with the People seemingly unwilling to accept the senatorial elite's handling of a matter and showing a marked mistrust between the Senate and People. Again, as with 113 BC, given this level of popular distrust, it was not long before an aspiring Roman politician (holding the tribunate) was able to exploit the situation and expand the remit of the tribunate once more, at the expense of the Senate.

The event that brought this matter to a head was Jugurtha's capture of the town of Cirta, headquarters of his rival, Prince Adherbal. Not only did Jugurtha execute his rival, in open defiance of Rome's stated wishes, but he also massacred the inhabitants of the town, which included a number of Italian merchants. When the Senate again took no firm action, a tribune named C. Memmius stepped in:

'When this outrage became known at Rome and the matter was brought up for discussion in the Senate, those same tools of the king, by interrupting the discussions and wasting time, often through their personal influence, often by wrangling, tried to disguise the atrocity of the deed. And had not Caius Memmius, Tribune of the People elect, a man of spirit who was hostile to the domination of the nobles, made it clear to the populace of Rome that the motive of these tactics was to condone Jugurtha's crime through the influence of a few of his partisans, the deliberations would undoubtedly have been protracted until all indignation had evaporated: so great was the power of the king's influence and money. But when the Senate from consciousness of guilt began to fear the People, Numidia and Italy, as the

Sempronian law required, were assigned to the Consuls who should next be elected. The Consuls in question were Publius Scipio Nasica and Lucius Calpurnius Bestia; Numidia fell to Bestia, Italy to Scipio. An army was then enrolled to be transported to Africa, the soldiers' pay and other necessities of war were voted.'¹⁷

Thus, despite the Senate's own reticence, their hand was forced by Memmius and the People, and the Senate was forced to become embroiled in a war they didn't want to fight. With this example, we can see that tribunes (and the People) were now forcing the Senate's hands on matters of foreign policy. However, this was not the end of the matter, as the consul L. Calpurnius Bestia took his army into Numidia, but came to terms with Jugurtha, who swiftly agreed to surrender. Whilst on the one hand Bestia had seemingly ended the matter with no bloodshed and avoided getting bogged down in a protracted war in North Africa, many of the People, and Memmius himself, saw it as another example of the Senate unwilling to bring Jugurtha to account or follow the People's wishes:

'When the news was circulated at Rome of what had happened in Africa, and how it was brought about, the Consul's conduct was discussed wherever men gathered together. The People were highly indignant, while the Senators were in suspense and unable to make up their minds whether to condone such an outrage or to set aside the Consul's decree. In particular the power of Scaurus, who was reported to be Bestia's ally and accomplice, deterred them from acting justly and honourably. But while the Senate delayed and hesitated, Caius Memmius, of whose independence and hatred of the power of the nobles I have already spoken, urged the assembled People to vengeance, warned them not to prove false to their country and their own liberties, pointed out the many arrogant and cruel deeds of the nobles: in short, did his utmost in every way to inflame the minds of the People.'¹⁸

Furthermore, Sallust reports the text of Memmius' speech to the People, which, if we are to believe it as accurate, contained a number of references to both ancient and more recent tribunician history, including summoning up the imagery of the Gracchi:

'Some things, indeed, I am ashamed to speak of how during the past fifteen years you have been the sport of a few men's insolence; how shamefully your defenders have perished unavenged...

After the murder of Tiberius Gracchus, whom they accused of trying to make himself king, prosecutions were instituted against the

Roman commons. Again, after Caius Gracchus and Marcus Fulvius were slain, many men of your order suffered death in the dungeon. In both cases bloodshed was ended, not by law, but by the caprice of the victors...

Some of them are safeguarded by having slain Tribunes of the commons, others by unjust prosecutions, many by having shed your blood.

Your forefathers, to assert their legal rights and establish their sovereignty, twice seceded and took armed possession of the Aventine.¹⁹

Thus Memmius was able to argue before the People that the consul and his advisors were corrupt and that action must be taken against them:

‘By repeating these and similar sentiments Memmius induced the People to send Lucius Cassius, who was Praetor at the time, to Jugurtha. Cassius was instructed to bring the king to Rome under pledge of public protection, in order that through his testimony the offences of Scaurus and the rest who were accused of taking bribes might the more readily be disclosed.’²⁰

Thus a tribune of Rome arranged for an enemy of Rome to be conducted to the city, under safe conduct, to give evidence against one of the serving consuls and a number of his high-ranking staff. Jugurtha was duly brought before the People of Rome, but was prevented from testifying as to the accuracy of the charges of corruption against the consuls, by one of Memmius’ tribunician colleagues, C. Baebius, who used his veto to prevent the king from speaking. On this occasion, despite various threats being issued, Baebius did not remove his veto and the matter had to be dropped. Nevertheless, Jugurtha’s overtures of peace were rejected in the face of popular feeling and the war resumed.

Memmius himself disappears from view for the next few years, which represents a gap in our surviving sources at least on the domestic front, but reappears in 99 BC when he stood as a candidate for the consulship, meaning that he at least held the praetorship in the intervening period. Interestingly, he seems to have kept alive his rivalry with his former colleague Baebius, who ran for the consulship of 100 BC, but was murdered in the violence of that year (see below). Memmius hailed from a minor Roman senatorial family which had held lesser offices since at the least the time of the Second Punic War, but had never risen higher than the praetorship. A number of further

family members can be found holding office in the later Republic, including several tribunes. Again, like Peducaeus in the earlier example, the family finally achieved the consulship under the dominance of Caesar Octavian (later Augustus).

Lucullus, Annii and the Election Crisis of 110 BC

The year 110 BC saw a curious incident, only mentioned in passing by Sallust, but again a good example of the confrontational nature of tribunician-senatorial relations. We are told that there was a serious clash within the Tribunician College between two tribunes, L. Annii and P. Licinius Lucullus, and their colleagues:

‘At that time the Roman commonwealth was cruelly racked by the dissensions of the Tribunes. Two of their number, Publius Lucullus and Lucius Annii, were trying to prolong their term of office, in spite of the opposition of their colleagues; and this strife blocked the elections of the whole year.’²¹

We can see that two of the tribunes were attempting to follow in the footsteps of the Gracchi and be re-elected for the following year. Aside from this detail we know nothing of the reasons why they attempted this or of any laws they proposed or passed during this year, due to the paucity of our sources for this period (other than for the Jugurthine War). We do know that they were opposed by the other eight tribunes and that, as a consequence, all elections for the year 109 BC were suspended for a time.

Without any detail, there is little that can be said about this event other than it shows that, far from being quiescent, there were tribunes almost every year who were pushing the boundaries of tribunician power and could find allies amongst some of their fellow tribunes. On this occasion, the two men both hailed from minor senatorial families. The Annii had reached the Praetorship in the pre-Second Punic War period, and one branch, represented by an Annii Rufus held the consulship in 128 BC. The Luculli were also a well-established senatorial family with a record of office holding dating back to the Second Punic War, who had reached the consulship in 151 BC. We can see that both men hailed from the medium to lower echelons of the senatorial elite and neither were outsiders. Interestingly, there is no further record of either man holding further office.

This episode also reveals how little we know about domestic Roman politics in this period that weren’t inherently connected to the

Jugurthine War. If it weren't for a brief mention by Sallust, who was introducing a section on the consuls and the war, this incident would have been lost and we would have assumed that after Caius Gracchus no other tribune attempted to stand for re-election until Saturninus.

Mamilius and the Rise of the Special Court (109 BC)

The following year (109 BC) saw more tribunician agitation and reforms and again saw the tribunes expand the judicial remit of the office. The tribune in question was C. Mamilius Limetanus, who built on the two themes that had been present in previous years: popular discontent over the war in North Africa and convening special courts. Mamilius seems to have hailed from a minor senatorial family; although he is the earliest member of the Mamilii Limetani recorded as holding office, other branches of the Mamilii had held the consulship dating back to the mid-third century BC.²²

Following Jugurtha's abortive visit to Rome in 111 BC, the war resumed and the Consuls of the following year fared little better. Command of the war fell to the consul Sp. Postumius Albinus, who spent much of the year being frustrated by Jugurtha's refusal to give battle. Unfortunately for Postumius, when he returned to Rome later in the year to hold the elections, his army was defeated by Jugurtha.²³ As we have seen, many sections of the populace were already angry at the Senate's refusal to declare war on Jugurtha and defeat him militarily (which turned out to be a level-headed decision) and now they saw a Roman army defeated by a supposedly weaker enemy.

This situation produced a perfect set of circumstances for a popular tribune to exploit, which is what Mamilius did. Building on the law *Peducaeus* passed in 113 BC to set up a special court with a particular focus (see above), Mamilius proposed (and had passed) a law which set up a special court to try those who had supposedly 'aided' Jugurtha either before or during the war:

'Meanwhile, at Rome, Caius Mamilius Limetanus, Tribune of the People, proposed to the People a bill, in which it was provided that legal proceedings should be begun against those at whose advice Jugurtha had disregarded decrees of the Senate; against those who had accepted money from him while serving as envoys or commanders; against those who had handed back the elephants and deserters; and against those who had made terms of peace and war

with the enemy. Preparations for obstructing this bill were made both by all who were conscious of guilt and also by others who feared the dangers arising from factional hatred; but since they could not openly oppose it without admitting their approval of these and similar acts, they did so secretly through their friends, and especially through men of the Latin cities and the Italian allies. But the People passed the bill with incredible eagerness and enthusiasm, rather from hatred of the nobles, for whom it boded trouble, than from love of country: so high did party passion run.²⁴

Rome now had a special commission whose job it was to root out 'traitors' amongst the senatorial elite. Once again, the senatorial nobility found themselves disadvantaged, when one of their lesser members was able to utilize the anger of the People. On the one hand, it must be said that the evidence did favour a number of the Senate having accepted monies from Jugurtha to advocate his cause. On the other hand, many members of the Senate were hardly going to face a fair hearing in the face of popular anger and political enemies from within the Senate.

Sallust's passage is interesting for several reasons. Firstly, although it seems that many Roman politicians wanted to oppose the bill, none could do so openly, including Mamilius' nine tribunician colleagues, for fear of being labelled as colluding with traitors. Here we can see the powerful emotions that had been stirred up by Rome suffering military defeat and going to war with a former ally who had close links to many in the nobility. The defeats in the north seem to have been overlooked despite the greater physical danger they caused; Jugurtha was hardly ever going to pose a threat to Italy itself. Yet, to the People, this seems to have been the more serious war, as it touched on the old prejudices that the Roman elite only had their own interests at heart and not those of the Republic and therefore there were no tribunician vetoes imposed. The other interesting aspect is where Sallust mentions opponents of the bill trying to utilise Latins and Italians to block the bill which, given their lack of formal voting power, is an interesting tactic.

We know that a three-man commission was established to try suspects and that the principal targets were the consuls L. Calpurnius Bestia (Cos. 111 BC) and Sp. Postumius Albinus (Cos. 110 BC), who had conspicuously failed in their prosecution of the war, along with their legates and close supporters. Interestingly, one of these men was M. Aemilius Scaurus, who was one of the most prominent Roman

politicians of the day. He had been consul in 115 BC, where he celebrated a triumph over the Gauls and Ligurians and had been named *Princeps Senatus* the same year (a position he still held). In 109 BC, he was further appointed as one of the censors, along with M. Livius Drusus (Caius Gracchus' opponent). Yet despite his prominence he had served as a legate (senior advisor) to the consul of 111 BC, Calpurnius Bestia, and thus was tainted by the charge of corruption.

Clearly seeing the danger, Scaurus seems to have used his influence (exactly how is not detailed) to get himself elected as one of the three Mamilian commissioners (the other two are unknown). Furthermore, Cicero records that he acted as defence counsel to Bestia himself.²⁵ Yet, despite getting one of their own on the commission, it seems Bestia and his allies were not able to escape the charges laid against them:

'Nevertheless, the investigation was conducted with harshness and violence, on hearsay evidence and at the caprice of the People; for then the People, as so often the nobles, had been made insolent by success.'²⁶

'For, in consequence of the invidious law of Mamilius above-mentioned, C. Galba one of the Priests, and the four former Consuls L. Bestia, C. Cato, Sp. Albinus, and that excellent citizen L. Opimius, who killed Gracchus; of which he was acquitted by the people, though he had constantly sided against them, were all condemned by their judges, who were of the Gracchan party.'²⁷

The two former consuls, Bestia and Albinus, were found guilty of treason, though their fates are not clear. In Bestia's case there may well have been bribery involved, but few in the Senate seemed to have any desire to get themselves entangled in a war in the North African interior with a former ally. In Albinus' case it seems more a matter of being convicted for the military incompetence of his brother (who he had left in charge of his army), rather than his own decision making. Perhaps the most interesting name on the list was that of L. Opimius (Cos. 121 BC), the man responsible for the death of Caius Gracchus and his supporters a decade earlier (see [Chapter Four](#)). Whilst he had been able to avoid prosecution for that act the People seemingly did not squander a second chance. Whilst Opimius escaped the former charge with a defence of acting to saving the state (supported by the passing of the *senatus consultum ultimum*), on the latter charge of treason against the state he was found guilty.

Scaurus himself seems to have avoided prosecution, but then he

had skilfully positioned himself as a member of the very commission whose job it was to prosecute him. Furthermore, his role of censor would have given him some degree of immunity. Yet it seems that Scaurus did not escape entirely; at some point during the year, his censorial colleague, M. Livius Drusus (Caius Gracchus' opponent) died in office.²⁸ By custom this meant that the censorial pairing was broken and the remaining censor must stand down. As was perhaps in his nature, Scaurus refused to do so, which led to a stand-off with an unknown number of tribunes:

'but when the Censor Livius Drusus died, his colleague Aemilius Scaurus was unwilling to give up his office until certain Tribunes ordered him to be led away to prison.'²⁹

Once again, we see tribunes clashing with a censor and threatening a higher magistrate with imprisonment. Although we are not clear on the timing of this incident in relation to the Mamilian commission, it is tempting to see this as payback for his earlier role in avoiding prosecution. Nevertheless, it once again shows clashes between tribunes and other elected magistrates, though many in the Senate must have supported this move in what was apparently a flagrant breach of custom and tradition by Scaurus.

Military Crisis and Counter-Reforms (109 BC)

Whilst these events were progressing, the consuls of 109 BC were focusing on the two wars: Q. Caecilius Metellus in Africa and M. Iunius Silanus in Europe. Prior to leaving for their respective theatres of war, the consuls apparently revoked a number of reform laws which had been passed by the People and which affected the terms of military service. Unfortunately, we only have one passing reference to these events, in a commentary on Cicero:

'One is of the kind when it is resolved that a law should be abrogated – for example in the consulship of Q. Caecilius and M. Iunius that the laws which were impairing military efficiency should be abrogated.... and he [Iunius] abrogated several laws which had been passed by the People during those years in which the symptoms were evident, whereby the number of years required in military service was being reduced.'³⁰

Thus, all we know is that the consuls united to revoke several tribunician laws concerning military service, at least one of which touched on the length of service. It is interesting to speculate that

some of these were the laws passed just over a decade earlier by Caius Gracchus (see [Chapter Four](#)). We hear of no popular backlash or tribunician opposition to this revocation, but then we have no other references at all to these events. All we do know is that the consuls apparently seized upon the military crisis in the provinces to reverse previous reforms of the soldiers' terms and conditions. Following this we hear of nothing further on the domestic front for this year. The eyes of our surviving sources turned towards the impending military campaign in North Africa, headed by the latest consul from the dominant Metelli family, Q. Caecilius Metellus. Interestingly, one of Metellus' legates was none other than the former tribune of 119 BC, C. Marius, whose actions in this war would open up a new phase in the history of popular reform and tribunician power.

Summary

Our knowledge of the decade that followed the massacre of 121 BC is limited by the lack of a solid narrative source for the period. All we are left with are snippets from other sources, whose focus is usually on other matters, skewing what we do know about the period. Nevertheless, from what we can piece together we can see a number of themes: the fallout of the Gracchan period (centred on both individuals and agrarian legislation), tribunes clashing with senior magistrates, the rise of special courts to try members of the political elite, and the general rising of the political tension due to the ongoing military crises both in Europe and North Africa.

We can see that this period is one of relative calm, with no major reforms and no bloodshed. A number of tribunes continued to utilize the power of the tribunate (and the Assembly) in new directions. Yet no one challenged the established order in the way the Gracchi had, and therefore there was no bloody backlash. If anything, this period demonstrated that Roman politics, however spikey and confrontational, could operate without resorting to violence and bloodshed.

Chapter Six

Crisis, Reform and Massacre (108–100 BC)

Marius, Manlius and the Control of the Army (108–107 BC)

In the prior decade, Marius' career had both peaked and stalled. His controversial tribunate (119 BC) had been followed by a failed attempt to be elected aedile and then a successful campaign for the praetorship (115 BC), albeit being elected last and having to be acquitted of bribery. This had been followed by a moderately successful governorship in Spain. As was common, he had married well, into a distinguished but impoverished patrician family (the Iulii Caesares).¹ However, as was to be expected of a man of Italian ancestry and a first-generation Roman politician, he had seemingly advanced as far as he could and the consulship would have remained significantly out of his reach (under normal circumstances).

Thus, he found himself some years later back as a legate for the Caecilii Metelli. Marius however did not seem to be content with a moderately successful political career, but had ambitions for a consulship and both the experience and knowledge of how to manipulate the Roman political system to achieve this aim. In his youth (some thirty years earlier), Marius had served under P. Cornelius Scipio Aemilianus, who had himself used the tribunate to gain command in Spain despite being ineligible. Scipio had used the tribunes to suspend the law on repeat consulships within a ten-year period, which would have disqualified him, and then pass a special vote of the Assembly to grant him the command in Spain, despite it being Senatorial prerogative (see [Chapter Two](#)). Marius therefore had a blueprint left behind by his old commander; a blueprint bolstered both by his own time as a tribune and the political chaos of the decade between then and now.

Not lacking in confidence, Marius gained permission to return to Rome and stand as consul, though it is clear that his commander (Metellus) gave him little chance of ever being elected. Yet Marius clearly understood that the last two decades had shown that there were now three other powerbases in Roman politics aside from the Senate: the equestrian order, the tribunes and the People. And Marius

exploited all three:

‘Through the agency of the tax-gatherers and others who were engaged in business in Africa he criticised the delays of Metellus, who was now dragging on the war into its third year, charging him with the haughtiness characteristic of the nobility and with the desire to maintain himself in military commands. Having obtained a leave of absence he went to Rome, where he succeeded in procuring his election as Consul and had the chief command of the war placed in his own hands.’²

‘At Rome, too, the People, on hearing the letters which had been written about Metellus and Marius, had readily accepted what was said in them about both men. The general’s noble rank, which before this had been an honour to him, became a source of unpopularity, while to Marius his humble origin lent increased favour; but in the case of both men their own good or bad qualities had less influence than party spirit. More than this, seditious magistrates were working upon the feelings of the populace, in every Assembly charging Metellus with treason and exaggerating the merits of Marius. At length the commons were so excited that all the artisans and farmers, whose prosperity and credit depended upon the labour of their own hands, left their work and attended Marius, regarding their own necessities as less important than his success. The result was that the nobles were defeated and after the lapse of many years the Consulship was given to a new man’³

Marius it seems skilfully tapped into the popular discontent with the senatorial elite (despite the fact that he was married into it) and their running of the war. He also had the backing of a number of the equestrian order, especially those whose business interests were being affected by the continuing war in Africa. It is also clear that Marius was able to utilize an unknown number of unidentified tribunes to press home attacks on Metellus and the benefits of his candidacy. Not only does Sallust refer to ‘seditious magistrates’ (see above) but Plutarch explicitly states that he was ‘introduced to the Assembly by one of the Tribunes’.⁴

Marius used a combination of the equestrians, tribunes and the People, and exploited the popular discontent with the senatorial elites over their running of the war to be elected consul. Yet this was only half the battle, as the Senate decided on who was awarded each campaign and, given the strength of the Metellan faction in the Senate and his steady progress, Q. Caecilius Metellus could look forward to

having his command extended into a pro-consulship, which is what happened.⁵

Yet, once again, Marius showed a greater understanding of the true realities of where power lay in the Republic if one were willing to use them. As in most aspects of the Republic, the Senate's ability to appoint military commanders was based on custom and practice (*mos maiorum*) and their collective dignitas. Yet they were not the legislative body; that fell to the People, via the Assembly. Nearly thirty years earlier, Marius' commander (Scipio Aemilianus) had used the Assembly to vote him command in Spain, and so Marius once again followed his example, but again took it a stage further:

'Afterwards, when the Tribune Titus Manlius Mancinus asked the people whom they wished to have as leader of the war with Jugurtha, they chose Marius by a large majority. It is true that the Senate had shortly before this voted Numidia to Metellus, but their action was to no purpose.'⁶

Not only did the Assembly vote the command of the Numidian campaign to Marius, but on this occasion, they expressly overturned a senatorial appointment. In doing this, Marius (and Manlius) set a clear precedent of a popular commander using a tribune to have the People vote him the command of a war. It was a tactic that many were to follow, most notably a certain Cn. Pompeius Magnus. We see the development of a new political reform: control of Rome's military forces being transferred from the sole control of Senate to being shared with the People. We can also see that this reform evolved slowly over a thirty-year period, from Scipio doing it with the Senate's blessing, through to Marius doing it against their wishes.

Not content with securing an unlikely consulship and stealing the command of the campaign from his former commander, Marius championed a new reform, one which was both important, but yet has been overstated in the following histories: namely the suspension of the laws and customs concerning the recruitment of soldiers.⁷ At the heart of the Roman recruitment system lay the concept of the citizen soldier, who unlike mercenaries (which were common in the armies of the ancient world), supposedly fought harder for their state as they owned land and thus had a stake in their state's survival. Therefore, throughout Roman history citizens had been arranged by classes, based on wealth, in terms of what military function they could traditionally afford.

Over the centuries these classes remained, but the actual amount of

wealth (or the equivalent amount in land) had been steadily lowered, especially in times of crisis. This was accompanied by the state paying for some citizen's equipment and then recouping the money from them.⁸ This process had reached its natural conclusion when Caius Gracchus passed his reform which meant that the state paid for all citizens' equipment, without seeking recompense (see [Chapter Four](#)). Now the soldiers were effectively equipped and paid for by the state, even though in theory they were citizen soldiers, and to be recruited they needed to own at least a small parcel of land.

Marius again tapped into this process of evolution and, realizing that there was a large pool of Roman citizens who had either lost their land or never had any and had drifted to the cities, recruited these landless citizens into the Roman army. This immediately provided him a large force of new men, rather than having to rely on the traditional and time-consuming levy from across Italy. It is unclear exactly what mechanism Marius used to achieve this. In a rhetorical flourish, Plutarch states that it was 'contrary to law and custom',⁹ though Marius would not have been able to accomplish this if it was illegal. It is more probable that he had a tribune pass a law suspending the land requirement for the duration of the crisis.

What is not stated in the surviving sources is that Marius abolished this land qualification forever more. Given that Marius seems to have frequently drawn upon his old commander (Scipio Aemilianus) for inspiration, it is more likely that he had this requirement suspended temporarily rather than removed entirely. However, whilst this may have mollified much of the opposition in Rome at the time, another clear precedent had been set and again the very nature of the Roman military had been reformed by the vote of the People. With his command and his new army, Marius left for Africa to fight Jugurtha.¹⁰ Of Manlius Mancinus we hear no more.

Reform and Counter-Reform in a Time of Crisis (107–103 BC)

Yet Marius' absence, and the focus of the majority of our surviving sources on military campaigns, did not mean that domestic politics quietened down. In the very year of Marius' command (107 BC), another tribune (C. Coelius Caldus) continued the tradition of prosecuting commanders (from the senatorial elite) who had failed on the battlefield. His victim on this occasion was the legate C. Popilius

Laenas, who had served under Marius' consular colleague, L. Cassius Longinus. Cassius had command in Gaul against the migrating northern tribes, but was ambushed and killed by the Tigurini. The remnants of the army were saved by Popillius Laenas, with the offer of Roman hostages and baggage. Naturally enough, the defeat did not go down well in Rome; another military disaster at the hands of a senatorial commander. With the consul Cassius dead, clearly someone had to pay and in this case, it was Popillius Laenas for making a 'shameful' peace. Laenas was duly charged with treason by the tribune Calpurnius and fled into exile. Calpurnius used the impending trial to pass a law extending the reforms concerning the voting process, by having all trials for treason conducted by secret ballot, and thus making them less open to jury rigging. Calpurnius himself went on to have a highly successful political career, reaching the consulship in 94 BC.

The following year (106 BC) saw the Senate attempt to turn the tide of political reform back in their direction, when one of the consuls, Q. Servilius Caepio, passed a law restoring senators back onto juries in corruption cases.¹¹ This overturned one of Caius Gracchus' major reforms which placed equestrians in charge of these juries (see [Chapter Four](#)). Regrettably, aside from the law being attributed to Caepio, we have no clear details about how this senatorial counter-reform was achieved. All we do know is that it was supported by at least one of the serving tribunes and an ex-tribune (both of whom would later become Consuls of 95 BC):

'but he [Q. Mucius Scaevola] was not Tribune till the year after him; and when he sat on the Rostra in that capacity, Crassus spoke in support of the Servilian law.'¹²

Nevertheless, this was an important step for the Senate, who seemed to have countered the tribunes' control of the Assembly by having a consul propose and pass legislation for the benefit of the Senate. Certainly, we hear of no tribunes opposing the move. It is interesting that the Senate used this law to create mixed juries (Senate and equestrians) rather than overturning Gracchus' reform completely and restoring their sole control of the juries, with no equestrians.¹³ Thus not only can we see a senatorial attempt to overturn this tide of reform, but them coming to a realization that they could not turn the clock back completely and that, perhaps for now, compromise was required.

For Caepio, whilst he may have been successful on the domestic front, the same could not be said of his military skills. He left Rome to

take up command in Gaul against the migrating tribes, including the Cimbri and the Tigurini. This campaign culminated in 105 BC at the Battle of Arausio, which stands as one of the greatest defeats in Roman history.¹⁴ The Periochae of Livy states that over 80,000 Roman soldiers were killed along with another 40,000 camp followers.¹⁵ Whilst these figures may be inflated, many sources state that it was a greater defeat than the infamous Battle of Cannae.¹⁶ Caepio himself survived and returned to Rome. Interestingly, he was not immediately put on trial for treason as previous defeated commanders had been (though he would be two years later – see below).

On this occasion, we see another potentially interesting reform. Both the Periochae of Livy and Asconius refer to Caepio having his imperium terminated by the People, presumably at the behest of a tribune.¹⁷ Thus we have the People stripping a commander of his imperium by popular vote, again extending the powers of the Assembly (and the tribunes) over military commands and even the sacred holding of imperium.

The following year (104 BC) opened with reasons for both celebration and further hope for Rome. Marius opened the year by celebrating his triumph over Jugurtha, who had been defeated militarily and then captured, albeit through the treachery of his allies. Nevertheless, both the Senate and People of Rome were able to see Jugurtha himself, the man who had dominated the military and political agenda for the previous five years, paraded through the streets of Rome in chains. Furthermore, the disastrous defeat at Arausio had not been followed by a Germanic and Gallic tribal invasion of Italy, as had been feared, but saw the tribes migrate into Spain, giving the Romans time to rebuild their military strength. Given the situation there was only one obvious choice as commander against the tribes, and Marius was duly elected to a second consulship (in absentia).

Perhaps it is no coincidence that this outbreak of relative calm and optimism on the military front saw an upsurge in the activities of the tribunes this year, with a number of reforms passed. The failure of military leadership once again became a popular topic for legislation, with the focus switching from their supposed complicity in the Jugurthine War to that of the Northern War (against the migrating tribes). The tribune L. Cassius Longinus proposed and passed a law stating that anyone who had been convicted by the People or had their imperium removed by the People was to be removed from the

Senate.¹⁸ In the short term, the obvious target of this legislation was Q. Servilius Caepio (Cos. 106 BC), who had been in command for one of Rome's greatest ever defeats and had so far escaped prosecution. Nevertheless, one of the longer-term implications of this legislation is that the People (and their tribunes) were now legislating for who could be a member of the Senate. We do not know whether this expulsion was instantaneous or merely compelled the censors to remove anyone who met this criterion at the next census.

Attacks on defeated commanders continued when the tribune Cn. Domitius Ahenobarbus launched a prosecution of M. Iunius Silanus (Cos. 109 BC), for his defeat by the Cimbri, five years previously.¹⁹ Silanus had interestingly also revoked a number of laws concerning military service, possibly including the Gracchan ones (see [Chapter Five](#)). On this occasion the prosecution failed, which perhaps shows that popular anger was abating, or that too long a time period had passed and the relatively minor failure five years previously had faded in the popular memory. Undeterred, however, Domitius launched another prosecution, this time of a pontiff, M. Aemilius Scaurus (Cos. 115 BC), allegedly over a snub at his not being selected to join the college of pontiffs.²⁰ Once again however his prosecution, allegedly for failing to perform the sacred rites correctly, failed. Having failed in the judicial sphere, Domitius turned his attention to legislation and was more successful; having the People pass a law stating that all new members of the Pontifical Colleges would be selected by election by the People and not pontifical selection. Thus again, the People passed a law to regulate the membership of a religious (and aristocratic) body, and opened it up to popular election.

There is also a third possible reform attributed to the tribunes of this year, by the tribune L. Marcius Philippus (the law is attested, but not the year). Cicero makes a passing reference to Philippus passing an agrarian law, but unfortunately we have no further details.²¹ Of the three tribunes, we have no further record of Cassius but interestingly, Domitius achieved the consulship just eight years later (96 BC), whilst Philippus took thirteen years to reach the consulship (91 BC, see [Chapter Seven](#)). The year also saw another interesting domestic power clash between a magistrate and the Senate. A certain L. Appuleius Saturninus was one of the quaestors this year, with responsibility for maintaining the grain supply (via Ostia), which since Caius Gracchus' laws, had taken on greater importance:

'When he [Saturninus] was Quaestor, he had been put in charge of the

transport of all the corn from Ostia to Rome; but owing to his laziness and his debased character, he was removed from this office by the Senate, who committed the task to the care of others.’²²

‘The Senate removed him [Saturninus] while he was Quaestor from the superintendence of the corn market which belonged to him by virtue of his office.’²³

‘Because he [Saturninus] knew that the superintendence of the import of provisions had been, as an intentional insult, transferred from him while he was Quaestor at Ostia, to the chief man both of the Senate and of the city, Marcus Scaurus.’²⁴

Thus the Senate removed a questor from overseeing the import of grain into the city and placed it in the hands of a senator. We are not told the mechanism for this transfer, nor for how long this transfer was to last, but it clearly looks as though the Senate launched a successful power grab and gained control of Rome’s grain supply, which, since Caius Gracchus, had to be sold to the People at a subsidized rate. Interestingly supervision of the grain supply was transferred to M. Aemilius Scaurus, himself the subject of a failed tribunician prosecution this year (see above). Naturally enough, the other man concerned (Appuleius Saturninus) was left humiliated by the move, stripped of his office’s role, and would naturally bear a grudge against the Senate for such a move. The next logical step for such a man was to seek election for the office of tribune, which he duly succeeded in.

Unstable Alliances: Marius, Saturninus and Glaucia (103–99 BC)

Saturninus and the Courts

We know of a number of measures that Saturninus passed this year, but as is common, not the order in which they were passed in. Perhaps the earliest measure was a law establishing a permanent court for cases of treason (*maiestas*).²⁵ Not only did this provide an easier mechanism under which to prosecute individuals, but the law also arranged that the juries would be members of the equestrian order. This measure thus formalized the ad hoc prosecutions of failed Roman commanders that had been happening throughout the Jugurthine and Northern Wars, but also tapped into the longer running issue over the composition of juries that had been started by Caius Gracchus (see

Chapter Four). The Senate had only just regained membership of juries of court cases concerning corruption (in 106 BC, see Chapter Five), but there was now a new court established to try cases of treason, manned exclusively by equestrians. Perhaps not coincidentally, the man responsible for restoring senatorial membership of corruption juries (Q. Servilius Caepio) was one of the first victims of this new court.²⁶

With a new court established for trying cases of treason, the most obvious inaugural accused were the two commanders of the disastrous defeat at the Battle of Arausio in 105 BC, Cn. Mallius Maximus (Cos. 105 BC) and Q. Servilius Caepio (Cos. 106 BC). As mentioned above, it is perhaps unsurprising that the two defeated commanders were not prosecuted on their return to Rome or the year that followed. On this occasion, Saturninus worked in conjunction with a fellow like-minded tribune, C. Norbanus; Saturninus brought a prosecution against Mallius, whilst Norbanus accused Servilius.

Interestingly though, on this occasion there were a number of tribunes (three in fact) who supported the two accused commanders. In at least one case this does seem to have been left to chance, as one of the three (L. [Antistius] Reginus), is referred to by the sources as being a friend of Caepio.²⁷ Thus we face the intriguing possibility that he was elected solely to assist Caepio if (or when) he faced prosecution. In the first instance, however, it was two of his colleagues, T. Didius and L. (Aurelius) Cotta, who intervened to stop the prosecutions using their powers of *intercessio*.²⁸

Under normal circumstances, the formal veto of two tribunes should have been more than enough to stop a prosecution, especially as it was known that at least two other tribunes (L. Antistius Reginus and M. Baebius Tamphilus) were opposed to Saturninus. Thus, we have a four–two split in the Tribunician College (along with four unknowns). Yet Saturninus and his supporters came up with an elegant, if unorthodox, manoeuvre to neuter these vetoes; the vetoing tribunes (and their supporters) were driven from the Rostrum and the Assembly, by violence. Cicero even mentions that the Princeps Senatus, M. Aemilius Scaurus, who was present at the Assembly, was hit by a rock.²⁹ With the opposing tribunes no longer present the prosecutions could continue unopposed, which naturally resulted in the convictions of both men; with both being sentenced to exile.

‘Caepio, who had caused the defeat by his rashness, was convicted; his possessions were confiscated (for the first time since King Tarquinius)

and his powers abrogated.’³⁰

In Mallius’ case this was carried out as normal, but in Caepio’s place he was freed before sentence could be passed.³¹ The man who freed him was his friend and serving tribune, L. Antistius Reginus.³² Thus we have an example of a serving tribune freeing a man convicted by the People and at the hands of a fellow tribune. Even more unusual was the fact that Reginus then joined Caepio in voluntary exile (in Smyrna). The timing of this exile is not explicit, but Valerius Maximus does imply that he went into exile during his year in office: ‘he chose the punishment before the office’.³³ The events of this year showed that the Tribunician College was starkly split between at least two camps with seemingly no common ground being sought between the two factions.

An Alliance of Convenience: Marius and Saturninus (103 BC)

It was into this atmosphere that C. Marius returned to Rome, albeit temporarily. Having been elected to a second consulship (for 104 BC), to face the migrating northern tribes, he had been stationed in Gaul rebuilding the Roman forces there and preparing them for the campaigns to come. This had been made possible by the tribes in question moving away from Italy and into Spain. Given the nature of the emergency, Marius had been elected in absentia, though presumably he had supporters, and possibly tribunes in the Assembly to ensure this happened. Yet in 103 BC he had to suddenly return to Rome, following the unexpected (and natural) death of the other consul, L. Aurelius Orestes. Marius thus had to conduct the elections for the following year.

This was an unexpected bonus for Marius as it gave him the opportunity to strengthen his own position domestically. Given that Saturninus had de-facto control of the Assemblies during this year, it seemed an obvious choice that Marius would temporarily ally with him to ensure the Assemblies passed the measures he wanted. Their temporary alliance yielded two actions of note, one of which was to have long-lasting implications.

We do not know the nature of their alliance, or what Saturninus sought in return for his assistance, but he duly proposed (and had passed), a land distribution bill which assigned allotments of land in Africa (of 100 iugera each) to Marius’ discharged veterans from his Jugurthine campaign; thus, colonies of Marius’ veterans were settled in Africa. This can be seen as a continuation of Rome’s traditional

colonisation policy; settlements of Roman veterans being created in formerly hostile territory, where they could impose a Roman presence on a defeated enemy and act as bastions should there be any rebellion. The only difference on this occasion is that the colonies were in Africa rather than Italy.

Yet there were two additional factors to the policy which had not been seen before and which would have had longer-lasting implications. Firstly, there came the matter of who actually organized these colonies. Whereas in the past land for discharged veterans had been an issue for the state, in the form of the Senate (rubber stamped by the Assemblies), on this occasion, it was clearly their former commander who was organizing the matter, bypassing the Senate altogether. Whilst this did not create a formal obligation for any future commander to follow his lead, clearly the precedent had been set. The second factor concerned the nature of the men who had been discharged. This was the army that Marius had reinforced by using men who held no land in Italy and were below the traditional property qualification for military service (see [Chapter Five](#)). Given that the veterans who did have land would have wanted to return to their families in Italy, rather than start anew in Africa, we must assume that the bulk of these veterans settled in Africa were formerly landless recruits. Once again, a precedent had been set for a commander recruiting the landless to bolster their armies, providing them with land upon discharge.

It must be stressed that Marius' actions did not permanently change the method of recruitment or discharge for the Roman army. He would have argued that the change in recruitment was due to the emergency nature of the dual military crisis. Each commander who followed him could revert to recruiting only men eligible for service who held the requisite amount of land (in monetary value), and discharge them either via a senatorial programme of colonization or without any land. Yet, nevertheless, the precedent had clearly been set. Men without land seemed to have been easier to recruit and more suited to longer campaigns, without the urgency to return home to wives, families and farms. Furthermore, such an army could be rewarded for their loyalty by being given property upon discharge, and without the need for senatorial approval. In a number of ways, Marius had set several dangerous precedents – or dare we say a blueprint?

As an aside, it is interesting to note that Saturninus' land bill is only

detailed in one surviving source, the obscure and much later *de viris illustribus*, and we do find that the proposal was opposed:

‘in order to obtain the favour of the soldiers of Marius, [Saturninus] proposed a law which provided each veteran receive on hundred iugera of land in Africa. His colleague Baebius protested, but Saturninus drove him off by inciting the People to throw stones.’³⁴

It seems yet another of Saturninus’ colleagues attempted to block his legislation, but was negated by the expedient method of being driven from the Assembly by force, and thus was not present to deliver his veto (*intercessio*). It is interesting to note that without this detail in a much later and briefer source we would not have any detail of this important reform, lost as it is to our other surviving sources.

With this reform passed, it seems that Marius’ thoughts turned to securing his position as commander of the Roman campaign to face the migrating tribes. He had been elected to second consulship in 104 BC (only three years after his first) due to the nature of the crisis and then re-elected in 103 to a consecutive consulship (his third overall). Both of these elections were barred by the normal rules governing the *cursus honorum*. Yet the anticipated attack of the northern tribes had not materialized, which must have left many in the Senate questioning the need for Marius to continue in command. Furthermore, there would have been many others who coveted such a prize command. Rather than ask the Senate for a pro-consulship (as was usual in such circumstances), Marius again chose the more direct route and once again made use of Saturninus and his control of the Assembly:

‘Here many men of great merit were candidates for the Consulship, but Lucius Saturninus, who had more influence with the People than any other Tribune, was won over by the flattering attentions of Marius, and in his harangues urged the People to elect Marius Consul. Marius affected to decline the office and declared that he did not want it, but Saturninus called him a traitor to his country for refusing to command her armies at a time of so great peril. Now, it was clear that Saturninus was playing his part at the instigation of Marius, and playing it badly, too, but the multitude, seeing that occasion required the ability as well as the good fortune of Marius, voted for his fourth Consulship, and made Catulus Lutatius his colleague, a man who was esteemed by the nobility and not disliked by the common People.’³⁵

Marius was therefore elected to this third straight consulship (his fourth overall), an unprecedented feat in the mid-Republic. With his military position secure and his veterans discharged, Marius could

safely leave Rome (having held the elections for 102 BC) and return to his command in Gaul to await the northern tribes. Interestingly, Saturninus laid down his tribunate and did not seek re-election, which perhaps many would have been expecting. As later events were to show clearly, he had not lost his appetite for power, but perhaps he understood the problems he would have faced with a consecutive tribunate and the associations of the past that this would bring. It is also possible that he secured allies to stand as tribune for the following year to protect his legislation and prevent any prosecutions which might be initiated against him.

Waiting for Marius: Saturninus, Glaucia and the Metelli (102–101 BC)

The fallout from Saturninus' tribunate continued into the following year, when we see a clash between him and the Metelli (two of whom were elected as censors: Q. Caecilius Metellus Numidicus and C. Caecilius Metellus Caprarius). Numidicus used his position to attack not just Saturninus, but also his allies, most notably C. Servilius Glaucia:

'The Censor, Quintus Caecilius Metellus, attempted to degrade Glaucia, a Senator, and Appuleius Saturninus, who had already been a Tribune, on account of their disgraceful mode of life, but was not able to do so because his colleague would not agree to it.'³⁶

'such as Quintus Metellus, the uncle of your mother; who, when as Censor he had branded a man most flourishing in the popular esteem, Lucius Saturninus, and when he had expunged a pretended Gracchus from the list of the citizens, in spite of the violence of an excited mob'³⁷

'Furius cherished such enmity against Metellus because the latter, when Censor, had taken his horse away.'³⁸

Metellus Numidicus attempted to remove both Saturninus and Glaucia from the Senate, successfully removed Furius from the equestrian order and removed a fake son of Tiberius Gracchus from the citizenship list (see below). Interestingly, according to Appian, Numidicus' colleague prevented him from removing Saturninus and Glaucia from the Senate but omits to mention that his colleague was also his kinsman.³⁹ Thus we can see a full-blown attack on Saturninus and his supporters by the Metellan faction, taking advantage perhaps of Marius' absence from Rome to re-establish their dominance.

The figure of Servilius Glaucia is interesting. From later events, we

know him to be Saturninus' closest political ally, yet we do not know when this alliance was formed. Clearly from these events the men were allies in 102 BC and there is an interesting obscure reference in the *de viris illustribus*:

'He broke the official chair of the Praetor Glaucia, because Glaucia had diverted part of the People by administering justice on the very day when he himself was holding a meeting; he did this to appear more a friend of the People.'⁴⁰

Frustratingly, we do not know the date of this incident, though it is commonly placed in Saturninus first tribunate (103 BC), nor if this was the same Glaucia. If it was then it is strange that the two men clashed, unless it was engineered. Furthermore, if this is the same Glaucia (and the story's inclusion in the *de viris illustribus*' life of Saturninus would hint that it was) and it does date from 103 BC then it seems that Glaucia was praetor in 103 BC. This raises the possibility that the later alliance of Marius, Saturninus and Glaucia had already been formed in 103 BC, meaning that they occupied the three key offices of state: a consul, a praetor and a tribune. Neither Saturninus nor Glaucia held office the following year (102 BC), observing the gap between magistracies and probably waiting until Marius returned to Rome, to counter the power of the Metellan faction.

Outside of these clashes we only know of one tribune this year (102 BC, A. Pompeius), who died in office three days after driving a foreign priest (who had come to Rome to offer his support) from the Rostra. Even in this matter the sources report that he was opposed by other anonymous tribunes.⁴¹ Aside from this matter, the surviving sources at least are focussed on Marius and the campaigns against the migrating northern tribes, who had finally turned from Spain and marched on Italy. Whether this threat meant that normal politicking was toned down in Rome or that it continued anyway is not explained by our few surviving sources.

The figure of C. Servilius Glaucia appears once more, standing for office for 101 BC (having possibly held the praetorship in 103 BC). Unfortunately, whilst we know he held office in 101 BC we are not clear which office it was, though the tribunate is most likely, though it may have been a praetorship.⁴² His term in office (101 BC) is noted for two major actions: one a piece of legislation and the other his conduct at the tribunician elections for the following year. The legislation he passed was a significant (and familiar) reform, namely a law aimed at the composition of the juries of corruption trials once

more. To date, this jury had been transferred from being wholly composed of senators to wholly composed of equestrians (under Caius Gracchus) and then composed of a mix of senators and equestrians (under a consular law of 106 BC). Glaucia proposed (and passed) a law which passed sole composition of these juries back to equestrians once more. This not only re-enacted the law of Caius Gracchus, but complemented the previous law of Saturninus, which had created a special court with a jury of equestrians for cases of treason. Now both the courts for treason and corruption were held by equestrian juries.

Glaucia's law also had a number of additional provisions: the recovery of funds from the immediate beneficiaries of corruption as well as the culprits, citizenship for any Latin who brought a successful prosecution, and the disbaring of anyone convicted from addressing a meeting of the People.⁴³ Thus it seems his law built on that of Gracchus, but went further and even touched on the issue of citizenship for Latins, albeit in a limited manner.

Glaucia can next be found playing a major role in the elections for the following year (100 BC). Here we see the figure of Marius re-emerging as a force in domestic politics. Having successfully defeated the northern tribes who had invaded Roman territory and eventually Italy, at the Battles of Aquae Sextiae and Vercellae/Raudine Plain, Marius returned home a hero, hailed as the 'savour of the Republic'. Ever the practical one, he soon set his sights on securing his domestic position. Despite winning many plaudits and much acclaim, with the military crisis over Marius had a potentially weakened domestic powerbase, especially when faced with his opponents in the Senate. These opponents (if we are to believe Plutarch) were led by his old commander and now nemesis, Q. Caecilius Metellus, scion of the most powerful senatorial family or faction of the time and the man whose command he (legally) usurped in 107 BC.⁴⁴

Yet Marius' rise to power had never been based on the support of the Senate, but that of the People and equestrians. To those ends he returned to his tried and tested methods and sought allies who could sway the Assemblies. Here he seems to have allied himself, albeit temporarily with Saturninus and Glaucia, forming a triumvirate to dominate domestic politics for the following year. To this powerful alliance, Marius also used his veterans, which he dispersed back amongst the populace, to add weight to his support in the Assemblies: 'For this purpose, he allied himself with Saturninus and Glaucia, men of the greatest effrontery, who had a rabble of needy and noisy fellows

at their beck and call, and with their assistance would introduce laws. He also stirred up the soldiery, got them to mingle with the citizens in the assemblies, and thus controlled a faction which could overpower Metellus. Then, according to Rutilius, who is generally a lover of truth and an honest man, but had a private quarrel with Marius, he actually got his sixth Consulship by paying down large sums of money among the Tribes, and by buying votes made Metellus lose his election to the office, and obtained as his colleague in the Consulship Valerius Flaccus, who was more a servant than a colleague.⁴⁵

Thus, through a mixture of strong-arm tactics, use of his discharged soldiers and outright bribery, Marius not only secured a fifth consecutive consulship (and sixth overall) but secured one of his allies (L. Valerius Flaccus) as fellow consul. To this pairing were added Servilius Glaucia, elected as praetor for the following year, and Saturninus as tribune. Therefore this 'triumvirate' had access to the three great offices of state. In Saturninus' case, however, this did not go smoothly. It seems that he had become embroiled in an attack on the Senate over potential corruption to a foreign power (a familiar theme), but on this occasion, it had resulted in his own prosecution:

'Envoys came from King Mithridates to Rome, bringing a great sum of money, with the intention of bribing the Senate. Saturninus, thinking that now he had a cause to attack the Senate, reproached and abused the embassy. Encouraged by the Senators, who promised to assist them, the envoys brought a prosecution against Saturninus, concerning this abuse. He was brought to trial in public, with great severity, by reason of the violation of the envoys, and of the constant abhorrence that the Romans have of any assault on embassies. Saturninus, who was now at risk of being condemned to death by the Senate, his proper judges in such cases, fell into extreme fear and danger. Because of the seriousness of his predicament, in consternation he took refuge in the pity that is commonly given to those who are unfortunate. Throwing off his rich apparel, putting on poor and sordid clothes, and allowing his beard to grow, he ran up and down to the tumultuous throngs of people throughout the city, falling down upon his knees to some, catching others fast by the hands, begging with tears that they would assist him in his present calamities. He declared that he was the victim of political oppression by the Senate, contrary to all right and justice, and he suffered all this because of the good will he bore the people; the Senate were his enemies, accusers, and judges. The mob was swayed by his entreaties,

and in a great uproar many thousands of them ran to the tribunal, so that he was unexpectedly released from the charges; and with the support of the people, he was again appointed Tribune.⁴⁶

However, the other surviving sources paint a very different picture:

‘Accordingly Apuleius, a little later, in order to have revenge on Metellus, became again a candidate for the Tribunate, seizing the occasion when Glaucia held the office of Praetor,⁴⁷ and presided over the election of the Tribunes; but Nonius, a man of noble birth, who used much plainness of speech in reference to Apuleius and reproached Glaucia bitterly, was chosen for the office. They, fearing lest he should punish them as Tribune, made a rush upon him with a crowd of ruffians just as he was going away from the Comitia, pursued him into an inn, and stabbed him. As this murder bore a pitiful and shocking aspect, the adherents of Glaucia came together early the next morning, before the People had assembled, and elected Appuleius Tribune.’⁴⁸

‘Using violence, Lucius Appuleius Saturninus, who had the support of Caius Marius, and whose rival Aulus Nunnus had been killed by soldiers, was made Tribune of the Plebs, and occupied his Tribunate no less violently than he had tried to obtain it.’⁴⁹

‘Nine Tribunes had already been elected and one place remained for two candidates. The People drove Nunnus, Saturninus’ competitor, by violence into a private house, then dragged him out and killed him.’⁵⁰

Though each surviving source reports the events with a different twist, it is clear that despite this formidable coalition there was much opposition to Saturninus being elected tribune; so much so that, apparently, there were nine others elected ahead of him. With the tenth and final place due to be elected (or having been elected) his rival Nunnus/Nonius was murdered, possibly by Marius’ soldiers. With his ally Glaucia as presiding officer over the elections, the murder was ignored and Saturninus duly elected. Thus, another Roman politician had been murdered on the streets of Rome, possibly by soldiers loyal to the consul and now this new triumvirate had secured positions in all three key offices of state.

A Temporary Triumvirate: Marius, Saturninus and Glaucia (100 BC)

Theoretically this was the most powerful coalition ever agreed to push through reforms: both consuls, a reforming praetor and a reforming

tribune, all backed up by Marius' veterans, who could use violence in the Assembly to overcome any opposition. Yet this was at best a triumvirate of convenience. Certainly, Saturninus and Glaucia may have had a wider reform programme in mind, but Marius merely needed the other two to pass the legislation needed to cement his own position in domestic politics, following his successful military campaign. Beyond that he did not need to antagonize the Senate any further, especially as he would need to resume his place amongst them in a period of peace.

Unsurprisingly, with such a powerbase supporting him, Saturninus proposed (and passed) a number of reform laws. We find reference to three major laws, two of which were connected once again with the discharge of Marius' veterans. The first law was an agrarian law, which saw the Roman state confiscate a large amount of Gallic land. It also contained a number of interesting provisions:

'Then Appuleius brought forward a law to divide the land which the Cimbri [a Celtic tribe lately driven out by Marius] had seized in the country now called Gaul by the Romans, and which was considered as now no longer Gallic, but Roman territory.

It was provided also in this law that, if the people should enact it, the Senators should take an oath within five days to obey it, and that anyone who should refuse to do so should be expelled from the Senate and should pay a fine of twenty talents for the benefit of the people. Thus they intended to punish those who should take it with bad grace, and especially Metellus, who was too high-spirited to submit to the oath.

Such was the proposed law. Appuleius appointed the day for holding the Comitia and sent messengers to inform those in country districts, in whom he had the utmost confidence, because they had served in the army under Marius. As the law gave the larger share to the Italian allies the city people were not pleased with it.'⁵¹

There are a number of interesting issues here, which need to be analyzed, the first of which are the confiscations themselves. This was Gallic land which had been overrun by the invading northern tribes, but was now considered to be Roman by conquest. In itself, this was a land grab by the Roman state against the Gauls of the region, and no mention is made of the Gauls who inhabited those lands before the recent invasion. Thus, they suffered twice; firstly the tribal invasion and secondly the Roman confiscation. Though this would have clearly antagonized the locals, it seems that the Romans saw an opportunity

to expand and secure their northern frontier, which had so recently proved to be especially vulnerable to migrating tribes.

The second issue was the clause which was aimed at the Senate. This was the first time that the senators by law had to swear an oath to accept a piece of popular legislation. Furthermore, it once again brought senatorial membership (traditionally in the power of the censors) into the power of the Assembly (as had happened in some of the earlier laws aimed at failed commanders, notably in the case of Q. Servilius Caepio in 103 BC, see above). This provision was enacted to ensure that the Senate did not attempt to overturn the legislation in following years; again a new innovation in Roman legislation. Furthermore, it did seem to target Marius' old enemy, Q. Caecilius Metellus Numidicus; he would have to swear an oath to support Marius' legislation or face expulsion from the Senate. Faced with such a situation, Metellus choose to take a stand of principle and refused to swear the oath. Appian records the events which followed:

‘Appuleius [Saturninus] at once on the next day sent his official for him and tried to drag him out of the Senate-House. But when the other Tribunes defended him Glaucia and Appuleius hastened to the country people and told them that they would never get the land, and that the law would not be executed, unless Metellus were banished. They then proposed a law of banishment against him and directed the Consuls to interdict him from fire, water, and shelter, and appointed a day for the ratification of this decree. Great was the indignation of the city people, who constantly escorted Metellus, carrying daggers. He thanked them and praised them for their good intentions, but said that he could not allow any danger to befall the country on his account. After saying this he withdrew from the city. Appuleius got the law ratified, and Marius made proclamation of the contents of the decree.’⁵²

Therefore, the Assembly agreed to a tribunician law to exile one of Rome's most prominent statesmen, not for treason or corruption, as other members of the Senate had been exiled for, but for refusing to swear to uphold one of the laws that they had passed. Again, we see how the power in Rome could shift to the Assemblies when commanded or manipulated by someone as single-minded as Saturninus.

Thirdly, we have yet another reference to Saturninus being unpopular with the urban plebeians of Rome and relying on the plebeians from Rome's environs to carry the Assembly. This echoes

the third element of this law quoted above where Saturninus' law favoured the Italian allies over the urban populace of Rome, and that it was the allies who had served with Marius. This also ties in with Saturninus' own experience in the elections for this year when he failed to win one of the first nine seats in the Tribunician College and had to resort to murder and electoral manipulation to be elected.

At first this seems to be an odd phenomenon, a tribune of Rome not being popular with the urban populace, the very people he was meant to represent. Yet we had seen a similar process during the Gracchan tribunates, with the urban population of Rome itself guarding their privileges jealously and forcing tribunes to rely on the populace from outside of Rome coming into the Assembly to vote.⁵³

This incident also reveals a number of other interesting issues. It can be seen that, if so empowered, then the official (*viator*) of the tribunes could remove a senator from the Senate House to appear before the Assembly. We also see that an unknown number of anonymous tribunes supported Metellus and were able to use their power of *auxilium* to prevent him being removed from the Senate House. Once again we have a split college of tribunes, though the exact numbers of each side are difficult to determine:

'Those who attempted to prevent the passage of the laws proposed by the Tribunes were assaulted by Appuleius [Saturninus] and driven away from the Rostra.'⁵⁴

We do not know for certain any of the other tribunes of this year, though there are three who may be placed in either 100 BC or the following year. Arguments have gone back and forth over which year they belong to.⁵⁵ Of the three, P. Furius was a supporter of Saturninus, whilst a Cato (M. Porcius Cato?) and a Pompeius (Q. Pompeius Rufus?) were opponents. The allegiance of the other six tribunes is not known. Once again though it is clear that Saturninus had to use violence to force this law through the Assembly:

'A disturbance broke out in the comitia. Those who attempted to prevent the passage of the laws proposed by the Tribunes were assaulted by Appuleius [Saturninus] and driven away from the Rostra. The city crowd exclaimed that thunder was heard in the Assembly, in which case it is not permitted by Roman custom to finish the business that day. As the adherents of Appuleius nevertheless persisted, the urban populace girded themselves, seized whatever clubs they could lay their hands on, and dispersed the rural voters. The latter were rallied by Appuleius; they attacked the urban populace with clubs,

overcame them, and passed the law.’⁵⁶

We can clearly see that the events descended into a battle between the urban voters and those from the countryside, showing a split between the two groups of the ‘People’, which was just as large (if not larger) than the gap between the People and the Senate. This ultimately shows the danger of using the terms Senate and People to represent a homogenized body. Both bodies of the Roman constitution were riven with internal factions and differences and neither could be counted on to act as a whole body.

Nevertheless, despite the methods used, Marius had the outcome he required: land for his veterans to be discharged onto, which was also a very public demonstration that Marius kept the promises made to his men and demonstrating his *fides* (loyalty) to them. As a bonus, one of his main rivals, Q. Caecilius Metellus Numidicus, had been exiled from Rome; yet this would not have gone down well with the Metellan family, who were the most powerful faction in the Senate in this period.

We do also have reference to a second law concerning veteran colony settlements mentioned in the surviving sources, but this is only found in the later source *de viris illustribus*. This law seemingly built on Marius’ and Saturninus’ previous veteran settlement law (102 BC) which saw Marius’ Jugurthine veterans settled in colonies in Africa. Given the huge number of men under arms required to fight the northern tribes, Marius and Saturninus seemingly took the opportunity to widen the scope of this new colonization programme. Roman colonies were also created for Marius’ veterans in Sicily, Africa, Achaëa and Macedonia.⁵⁷ Thus Roman colonies were planted in a number of key regions, including Greece for the first time. It is interesting to note that four of the five regions in which colonies were planted (Gaul, Sicily, Macedonia and Africa) had all been the site of major Roman military campaigns in the previous few years: tribal incursions in Gaul and Macedonia, a major slave revolt in Sicily, and the Jugurthine War in Africa.

Thus Marius’ programme was two-fold: firstly, to discharge his veterans, towards whom he felt a duty, and secondly to secure regions that had seen recent conflict. Furthermore, these colonies were populated with Marius’ veterans and their new life had been secured by their old commander.⁵⁸ Therefore by extension they were also loyal to Marius and this could be seen as entrenching his influence throughout Rome’s empire. Once again Marius was setting an example

that the commander was responsible for the discharge of his troops, rather than the state (in the form of the Senate).

This law went further than all previous colonization laws and a provision gave Marius the right to grant Roman citizenship to three men in each colony.⁵⁹ Whilst the discharged Roman soldiers were naturally all citizens, perhaps this allowed Marius to settle a number of his Italian auxiliaries as well. It certainly gave Marius a great deal of patronage and power in being able to grant citizenship to whomever he chose (albeit in limited numbers).

With these two laws passed (three if we count Metellus' exile), we hear no more from Marius for the rest of the year. On the one hand, these laws had secured his immediate aims and successfully discharged his veterans, so it could have been the case that he had no further use for his erstwhile allies Saturninus and Glaucia. On the other hand, is the possibility that the paucity of our surviving sources for this period could be obscuring further reforms he was involved in. As always, the truth may lie somewhere in-between, and there is a case to argue that having achieved his aims he was happy to pass his sixth consulship basking in his military triumph and standing as the 'saviour of the republic' or the 'Third Founder of Rome' and perhaps also wishing to let matters settle in terms of his relationship with the Senate, especially with the Metellan faction.

We do hear of a third major law passed by Saturninus (and Glaucia), and this concerned the price of grain once again. Here Saturninus was returning to one of Caius Gracchus' most famous measures (a theme that can be found in much of his legislation):

'When Lucius Saturninus was about to introduce the grain law concerning the five-sixths, Quintus Caepio, who was city Quaestor during that time, explained to the Senate that the treasury could not endure so great a largesse. The Senate decreed that if Saturninus should propose that law before the people he would appear to be doing so against the common good. Saturninus proceeded with his motion. His colleagues interposed a veto; nevertheless he brought the lot urn down for the vote. Caepio, when he saw Saturninus presenting his motion against the public welfare despite his colleagues' veto, attacked him with the assistance of some conservatives, destroyed the bridges, threw down the ballot boxes, and blocked further action on the motion. Caepio was brought to trial for treason.'⁶⁰

Thus we can see that Saturninus proposed a law lowering the subsidized price of the corn which the state sold to its citizens, which

built on one of Caius Gracchus' most controversial policies: state-subsidized food sold to its poorest citizens. It seems that this new law proposed a price of five-sixths of an *as*, which was significantly lower than the fixed price Caius Gracchus had set some twenty years before. It is again interesting to note that details of the law only survived in one source and is not preserved in the more orthodox surviving sources for this period (see [Appendix Three](#)), as is the case with much of Saturninus' legislation. We are not explicitly told that this law passed, but given that he had forced other pieces of legislation through in the face of opposition, it is more than likely, though whether it survived after his year of office is another matter (see below).

This incident reveals that once again, Saturninus was opposed by a number of his tribunician colleagues and that again he overrode their vetoes (*intercessio*). The role of the Senate is also interesting here, as it seems that they were willing to deploy Tiberius Gracchus' old argument about a law that was not in the People's best interest (as interpreted by the Senate). However, most of the People would have argued that cheaper grain was in their interest and that the state could well afford it. It seems however that it was the quaestor Q. Servilius Caepio who provided the most practical opposition to Saturninus, taking matters into his own hands and using his own violent methods. For his actions, Caepio was brought to trial under Saturninus' new treason court but was acquitted, though we do not know when the trial took place; it may have been after Saturninus' tribunate (see below).⁶¹ The most obvious omission in this whole issue is the role of Marius. The source that quotes this extract is more interested in the technical details of the clash rather than the political setting of the time, so we cannot know whether Marius supported this law, overtly or otherwise.

A Bloody Election: The Siege of the Capitol

Aside from these measures we hear nothing more of the activities of these men until later in the year at the time of the elections for 99 BC. Whilst Marius seems to have been content to end his run of five consecutive consulships (the military crises having been resolved), his erstwhile colleagues seemed intent on retaining a grip on elected office. It is interesting to note that during his previous tribunate, Saturninus had been content to stand down after a year in office, but apparently emboldened by his alliance with Glaucia and with the tacit

backing of Marius (or so he believed) he seemed intent on retaining power and holding a consecutive (and third) tribunate. Naturally enough this would have conjured images of the Gracchi in everyone's minds.

Yet the ambitions of Saturninus and Glaucia (and possibly Marius) went further. Along with Saturninus, there were at least two other allies who sought election for the tribunate: a Sex. Titius and, more importantly, a man known as L. Equitius. Equitius had been presented to the Roman People as the son of Tiberius Gracchus himself, though all the sources state that this was an invention, with even Cornelia, the mother of the Gracchi, denouncing Equitius as an imposter.⁶² Nevertheless, here was Saturninus' clearest indication that he wanted to inherit the mantle of Tiberius Gracchus, by allying himself with (and being the mentor to) the son of the 'martyred reformer'.

Aside from the tribunate, another of their allies (C. Saufeius) stood for the quaestorship, perhaps to head off more opposition from that office (see above) and more importantly, Glaucia stood for the consulship. In many ways, this move made sense; the alliance had been protected all year by having the consuls as allies and now Marius was standing down, so having one of their own as his replacement would provide continuity of power. Marius himself may well have approved of the idea, especially if he wanted to safeguard their veteran discharge programme. There was only one unfortunate drawback: having served as praetor this year (100 BC), Glaucia was not eligible to stand as consul for 99 BC under existing legislation. Yet as we have seen demonstrated on numerous times over the years in question, a technicality such as this could easily be overcome by tribunician dispensation, though we have no surviving evidence for such legislation on this occasion.⁶³

As with the Gracchan tribunates, the day of the elections proved to be the spark for this particular powder keg and in many ways the situation of the previous year repeated itself, with the alliance resorting to the murder of a rival to secure an office when faced with electoral defeat. Once again it seems that the alliance had less popularity amongst the urban plebeians than the rural ones. On this occasion, it seems that Saturninus (with Equitius) was able to secure election to the tribunate for 99 BC (a third in Saturninus' case) and Saufeius secured election to the quaestorship, but Glaucia struggled to be elected consul. It seems that a M. Antonius had secured one of the two posts, but the other was down to a contest between Glaucia and

his rival Memmius. We have a surprising number of accounts of the events that followed, dating from the late Republic to the late Empire (see [Appendix Three](#)). Whilst these accounts all contain the basic facts, they differ wildly in timescale, interpretation (especially in terms of the role of Marius) and embellishment:

‘When the election for Consuls came on Marcus Antonius was chosen as one of them by common consent, while the aforesaid Glaucia and Memmius contended for the other place. Memmius was the more illustrious man by far, and Glaucia and Appuleius were anxious about the result. So they sent a mob to attack him with clubs while the election was going on, who fell upon him in the midst of the Comitia and beat him to death in the sight of all.

The Assembly was broken up in terror. Neither laws nor courts nor sense of shame remained. The People ran together in anger the following day intending to kill Appuleius, but he had collected another mob from the country and, with Glaucia and Caius Saufeius, the Quaestor seized the Capitol. The Senate voted them public enemies. Marius was vexed; nevertheless he armed some of his forces reluctantly, and, while he was delaying, some other persons cut off the water-supply from the Capitoline temple. Saufeius was near perishing with thirst and proposed to set the temple on fire, but Glaucia and Appuleius, who hoped that Marius would assist them, surrendered first, and after them Saufeius. As everybody demanded that they should be put to death at once, Marius shut them up in the Senate House as though he intended to deal with them in a more legal manner. The crowd considered this a mere pretext, tore the tiles off the roof, and stoned them to death, including a Quaestor, a Tribune, and a Praetor, who were still wearing their insignia of office.

Very many others were swept out of existence in this sedition. Among them was that other Tribune who was supposed to be the son of Gracchus, and who perished on the first day of his magistracy.⁶⁴

There are a number of additional details and interpretations found in some of the other surviving sources:

‘First M. Aemilius Scaurus called on C. Marius, now in his sixth Consulship to defend liberty and law by force; and straightaway he ordered weapons to be brought to himself. When they arrived he put them upon his body, exhausted and almost fallen apart by age as it was through extreme old age, and leaning upon his spear he took his stand before the doors of the Senate House and was wounded by a blow from a stone. Thus, by the scant remnants of his final breath he

saved the Republic from breathing its last.’⁶⁵

‘C. Marius acted like a great citizen and public benefactor in crushing L. Saturninus, who had summoned the slaves to arms by showing them the cap of liberty in lieu of a standard’⁶⁶

‘The Senate and People were now in an uproar about the great trouble affecting the Republic, so the Consul Marius, changing his views to fit the circumstances, allied himself with the views of the better sort and calmed the plebs with a soothing speech.’⁶⁷

‘Marius formed the People into maniples, stationed the other Consul on the hill with a garrison, while he fortified the gates. The battle was fought in the Forum. Saturninus was driven from the Forum by Marius’ supporters and fled to the Capitol. Marius cut the pipes that took water there. A grim enough battle followed at the entrance to the Capitol and many men were cut down around Saufeius and Saturninus, while Saturninus kept shouting out aloud to one and all, proclaiming that Marius had been behind all the schemes. Then Marius forced Saturninus, Saufeius and Labienus to flee into the Senate House; the doors were forced open and they were killed by Roman knights. C. Glaucia was dragged from Claudius’ house and hacked to pieces.’⁶⁸

‘You say in impeachment of my client, that Lucius Saturninus was slain by Caius Rabirius. And Rabirius has already proved that to be false by the evidence of many men, when Quintus Hortensius defended him at great length. But I, if I had to begin the defence anew, would brave this charge, would acknowledge its truth, would avow it. I only wish that the state of my client’s cause would give me the opportunity of making this statement, that Lucius Saturninus, the enemy of the Roman people, was slain by the hand of Caius Rabirius.’⁶⁹

‘A certain Senator named Rabirius carried his head around many banquets for a joke.’⁷⁰

‘On that day, all the Scauri, and Metelli, and Claudii, and Catuli, and Scaevolae, and Crassi took arms.’⁷¹

We have the outline of the events that took place. The murder of a prominent senator standing for the consulship was seemingly an act too far for the alliance, especially given their lack of powerbase amongst the urban plebeians. Naturally enough this act outraged the Senate, but so long as the alliance of Saturninus, Glaucia and Saufeius held the Forum and the Assembly by force with a mob of rural

plebeians, there was little the Senate could do. As we have seen, it was by force that Saturninus was able to control the Assembly, drive away or even murder his opponents and pass whatever laws he liked and even win elections. Once again, this is a perfect example of the weakness of the Roman system, whereby physical control of the Assembly could override any constitutional safeguards.

However, whilst this tactic had served him well through his first two terms of office, the Senate upped the stakes and met violence with violence. It is here that the role of Marius became central to these events. Both in the surviving sources and in modern historiography there are two clear schools of thought. The first is that Marius was politically weak and was outmanoeuvred by his opponents in the Senate, who passed the *senatus consultum ultimum*, as they had against Caius Gracchus (see [Chapter Four](#)), and nominated Marius to ‘defend the Republic’, giving him no choice but to turn on his allies. The other school (as seen in Cicero’s account and that of Valerius Maximus above) portrays Marius as the astute politician,⁷² who saw an opportunity to ‘save the Republic’ once more and led an alliance of the great noble houses and the urban plebeians against a dangerous enemy of the state.

We can see here two possible roles for Marius – dupe or arch manipulator – depending on the various ancient (and modern) writers’ views of him. As always it is up to each reader to decide which view they prefer. This work prefers to see Marius in the role of the arch manipulator, seeing a chance to resume his role as ‘saviour of the state’ after a quiet year in domestic politics and also be rid of some troublesome former allies.

Whatever the motives, with Marius nominated to ‘defend the Republic’, the tables had decisively turned against Saturninus, Glaucia and their allies. Marius had used his veterans to good effect in supporting Saturninus and now he deployed them in a military campaign in the heart of the city. A mob of rural plebeians was no match for a well-disciplined and better-armed deployment of soldiers who quickly won the Battle of the Forum. Saturninus, Saufeius and their surviving supporters fled to the Capitol, which was then put under siege.

We are not given any details as to how long this siege continued, but the Capitol was always a highly defensible position and it seems that they were only forced out when Marius cut the water supply, which does suggest that the siege went on for several days. Orosius

(which is usually based on Livy's lost account), stated that a second battle was then fought on the Capitol, after which the key leaders of the alliance (Saturninus and Saufeius) were captured.⁷³ Shortly after their capture they were conveniently murdered by a mob of equestrians or urban plebeians, or both, which would have silenced any attempts to implicate Marius in their schemes. Some sources have Glaucia amongst the number held in the Senate House, whilst others have him hiding and being murdered separately. Regardless of the differing details of the accounts, the outcome was still the same; the four key members of the alliance (excepting Marius of course), Saturninus, Glaucia, Saufeius and Equitius were murdered in Rome, along with an unknown number of supporters. Thus, as Appian states, at the very least a tribune, a tribune elect, a praetor and a questor were murdered in Rome.⁷⁴

As we can see, this slaughter was again an escalation from the bloodshed of the 130s and 120s. In 133 BC, a serving tribune and his supporters were murdered by a lynch mob. In 122 BC, a former tribune and former consul and their supporters were murdered, in an attack sanctioned by the Senate, following a pitched battle in the centre of Rome. Now at least four elected officials had been butchered along with their supporters, following two battles in the centre of Rome, including a siege of the Capitol itself (highly symbolic given its role in the Gallic Sack of the fourth century BC). Furthermore, a serving consul had deployed his own former soldiers on the streets of Rome to destroy his political opponents and had done so with the Senate's blessing; a dangerous escalation.

Summary

Thus Rome saw its third major period of political bloodletting in thirty years and once again this occasion saw an escalation from the previous example. In 121 BC, the Senate passed the *senatus consultum ultimum*, with the consul using armed men against former magistrates resulting in a battle on the Aventine, and a subsequent slaughter. On this occasion, the Senate passed the *senatus consultum ultimum* once more and the consul used his discharged military veterans, leading to a battle in the Forum followed by a siege on the Capitol. This siege was followed by a massacre of a number of serving magistrates and their supporters, supposedly whilst in protective custody.

Aside from the increased violence, the bloodshed on this occasion represented something different. Whilst in both 121 and 100 BC the

Senate charged a consul to use force to defend the state from 'rogue' members of the political elite, on this occasion the consul in question had been using those very resources to support the rogue elements and only changed allegiances when it suited him. We can also see the rising power of a new breed of military dynast. Marius was not the first Roman politician who blurred the lines between the political and the military, but no one had dominated the Roman state in such a way since the early Republic.

Certainly, Saturninus and Glaucia represented something different to the two Gracchi, who hailed from the highest echelons of the senatorial elite and had notable senior backing. Both men hailed from the lower echelons of the Roman elite and, aside from Marius, had no such backing. As events turned out, Marius' support was temporary and was removed once he had got what he had wanted. Furthermore, whilst the Gracchi and their backers clearly wished to reform the Republic to solve the 'ills' (as they saw them), Saturninus and Glaucia give the impression of wanting power first and for its own sake, passing reforms to garner support rather than cure any ills of the Republic.

The Saturninus period also highlights the growing rift between the two major sections of the People of Rome, the urban and the rural, with a greater gap between them than, say, the Senate and the urban populace. Whilst the two sides of the People were not in a civil war, there were certainly rising tensions between them.

Chapter Seven

Reform, Murder and the Road to Civil War (100–91 BC)

The decade that followed the massacre of Saturninus, Glaucia and their supporters is obscured by the lack of a surviving narrative source and the impatience of our surviving sources to rush to the events of 91 BC. Nevertheless, this does not mean that there were no events of note on the political front and if anything, what sources we do have reveal a picture of a more fragmented and antagonistic domestic Roman political scene dominated by political prosecutions, a resurgent senatorial elite and the occasional murder.

Backlash, Prosecutions and Murder (100–97 BC)

The Immediate Aftermath

To say that our understanding of the events which followed the murder of Saturninus and his allies is confused would be an understatement. Without a surviving narrative source, we are left with a handful of (usually) undated snippets in the various other surviving sources which refer to events that followed 100 BC. What we do have is a collection of clashes between tribunes and a number of political prosecutions, which perhaps reveal that the years which followed the bloodshed of 100 BC were indeed a confused time. The alliance of Marius with Saturninus and Glaucia had been shattered and the period of Marian dominance seems to have come to an end, with a power struggle between the various political alliances to fill the vacuum.

One of the principal problems we face when dealing with the aftermath of the murder of Saturninus and his allies is the uncertain chronology, in two particular respects. Firstly, we cannot say for certain when the massacre actually took place. Despite the number of surviving references we have, the sources are either vague or contradictory. Most sources place the strife at the time of the election for the following year (99 BC), though we can't say with any certainty when that actually was. Yet Appian states that Equitius was killed on his first day of office,¹ which would have been 10 December 100 BC. Again, whilst we will never know for certain with the sources that survive, the balance of evidence weighs towards Saturninus and

Glaucia being killed before the start of their year in office and Appian, or his source, misunderstanding the sequence of events. Central to the chronology of the period are the tribunes Furius, Pompeius and Cato and the attempt to recall Metellus Numidicus from exile:

‘When the party of Appuleius was destroyed the Senate and People clamoured for the recall of Metellus, but Publius Furius, a Tribune who was not the son of a free citizen but of a freedman, boldly resisted them. Not even Metellus, the son of Metellus, who besought him in the presence of the People with tears in his eyes, and threw himself at his feet, could move him. From this dramatic appearance, the person ever afterward bore the name of Metellus Pius.’²

‘At this point, to the delight of the whole city, Cato and Pompeius proposed that Metellus Numidicus return to Rome, but the factions of the Consuls, Marius, and of the Tribune of the Plebs, Furius, intervened to stop this happening.’³

It is clear from the surviving sources that the supporters of Metellus attempted to have him recalled, now that Saturninus was dead, but that this was blocked by Marius, using a tribune (Furius). A fragment of Dio states that Furius was a former supporter of Saturninus but had changed sides (see below)⁴ and seems to have found a new patron (Marius) and then taken great pains to burnish his new found anti-Saturnine credentials by passing a law confiscating the property of Saturninus himself (see below). It is also interesting that a son of a freedman could hold a legislative office in Rome: a political outsider sponsored by Saturninus and Glaucia, and possibly then Marius.

The key problem here, however, is not what took place but when these events took place, and here there are two schools of thought. The first is that as one source places Saturninus’ and Equitius’ death on the first day of office (10 December 100 BC), then these three tribunes – Furius, Pompeius and Cato – were all Tribunes of 99 BC. Yet as detailed above, if we discount this one source and have the violence in Rome taking place just after the elections (late summer or early autumn), then there would have been plenty of time for this proposal and thus these tribunes held office in 100 BC and were contemporaries of Saturninus.

Furthermore, we also know that Furius, as well as vetoing the recall of Metellus Numidicus (see above), passed a law confiscating the property of Saturninus and his allies, presumably post mortem.⁵ Clearly if Saturninus and Equitius died on the first day in office then Furius (and Pompeius and Cato) held office in 99 BC. However, if the

deaths occurred in the summer or late autumn then there still would have been time for the confiscations in 100 BC. Of the two proposals, the balance of evidence favours the latter, with Saturninus and his allies being killed in the late summer or autumn 100 BC, and Furius subsequently confiscating their property and vetoing the attempt to recall Metellus before the year expired. As well as the confiscation of Saturninus' property, Cicero makes two references to his laws being annulled after his death, though again these are far from clear:

'Then you don't think the Titian or Appuleian [Saturninus'] laws were really laws at all? And you are right, especially as the Senate repealed them in one sentence and in a single moment.'⁶

'But as colonies had not been established by the law of Appuleius, by which law Saturninus had carried, in favour of Marius, a proposition that he should have authority to make three Roman citizens in every colony, he said that this power which was so granted could have no validity, since the case for which it had been intended to provide did not exist.'⁷

Therefore, it seems that the Senate annulled some, or all, of the laws of Saturninus, including the ones which established colonies for Marius. Given Marius' influence at the time and the fact that he had just flooded Rome with armed veterans, this does seem odd and out of character, but then we only have snippets of the events that took place this year. Either Marius admitted defeat, which would have been out of character (and dangerous given the reliance he had recently placed on his veterans) or he managed to secure some compromise which is missed by the few sources that survive. Cicero's extract could be taken to read that colonies were not established at all, or not by Saturninus' law (but by someone else's). However, we are woefully ill informed as to the whole legislative programme of Saturninus in these years let alone which laws were annulled.

Yet despite these measures against Saturninus, from what our surviving sources tell us the aftermath of the violence seems to have been of a different character than that of the Gracchi, some decades before. Most notably, surviving Saturninus supporters do not seem to have been brought to trial and there seems to have been no major accompanying purge. There could have been several factors behind this, including the rural powerbase of Saturninus, his lower aristocratic status (and that of many of his followers) and of course, the influence of Marius. It was his soldiers who had been controlling the streets of Rome (albeit temporarily) and he had nothing to gain

from a widespread examination of the supporters of Saturninus and Glaucia, with him being the principal one.

If we discount the tribunes Furius, Pompeius and Cato as holding office during 99 BC, then we are only left with the identity of one of the tribunes of that year and interestingly he was a supporter of Saturninus: Sex. Titius. Not only did Titius survive the massacre of the previous year, but he took up his elected office and used it to push further political reforms. Interestingly, we know nothing of the background of this man prior to election but we do know that the Titii were a prominent tribunician family, which held the tribunate throughout the Republic (from 462 to 43 BC, even with our fragmentary record).⁸ Given the murders of the previous year, Titius must have found himself as the figurehead of the Saturnine/Glaucian support, such as it was in the city. It would not have been surprising that many of Saturninus' rural plebeian supporters would have been fearful to return to the city given the events of the previous year.

However, this does not seem to have deterred Titius, who proposed a fresh agrarian law. As is often the case in this period, despite several references to the man and his law, details are lacking. The best source is Obsequens:

'When Sex. Titius, Tribune of the People, stubbornly introduced a law about the division of land for the People in spite of his colleagues' opposition, ravens, two in number, flying through the sky fought so viciously above the Assembly that they tore each other with their beaks and talons. The haruspices pronounced that sacred rites ought to be offered to Apollo and about the law, which was being carried, that it should be abandoned.'⁹

We have no actual details of the law itself, but it is tempting to speculate that it was a fresh version of one of Saturninus'. Interestingly there is no reference to Marius either supporting or opposing the law. Thus it seems that Titius' agrarian law was prevented, not by violence or his colleagues, but by the augurs who ruled it inauspicious.¹⁰ It may be that this was not the only law he attempted to pass as he is often linked to an undated Titian law which regulated the assignment of questors to provinces, but again it is not certain that this law was proposed by this Titius.¹¹ We hear no more of Titius this year, but the following year he was prosecuted for being a supporter of Saturninus (see below).

Whilst the period in the immediate aftermath of the murder of Saturninus and Glaucia (100–99 BC) may have been one in which

Marius was able to exercise some measure of control, the same could not be said of the following year, as can be seen through the magisterial elections. Those who held office in 99 BC were elected in 100 BC, when Marius and Saturninus had control of the Assemblies, but when elections were held in 99 BC for the following year, it is clear that Marius at least had no such control. One of the consulships for 98 BC fell to a Metellan (Q. Caecilius Metellus Nepos) and at least two anti-Saturnine tribunes were elected (Q. Calidius and C. Canuleius).

The most noted piece of legislation this year was by Q. Calidius, who was supported by Metellus Nepos when he proposed (and passed) a law recalling Metellus Numidicus from exile. Again, it is interesting to view this act with reference to C. Marius. He had a similar proposal vetoed in 100 BC and it did not seem to be raised again in 99 BC. Therefore, one interpretation is that this recall shows the waning of Marius' political influence, unable to secure a consulship or even a tribunate for any of his supporters to block such a move. A second interpretation is that Marius did not try to block the recall and that he had come to some form of accord with the Metelli. Clearly the mood in Rome had turned against Saturninus and it would therefore have been wise politics to change his stance. As much of Roman politics was conducted in secret and has not been recorded in our surviving sources, we will never know for certain. However, it is interesting to note that it was this year that Marius was elected to an augurate (priesthood) and received a senatorial commission to travel to the east, perhaps his price for his acquiescence in this matter of Metellus' recall.

The Prosecutions and Murder of P. Furius

As well as this tribunician recall of Metellus, our surviving sources record two notable tribunician prosecutions this year, both of ex-tribunes (Sex. Titius and P. Furius). The prosecution of Furius is a confused one as our sources depict two separate prosecutions by two different tribunes, with two different outcomes:

‘C. Decianus, a man of recognized integrity, by his own words. Accusing from the Rostra P. Furius, a person of foulest character, at some point in his speech he ventured to complain about the death of L. Saturninus. On that account, he failed to get a guilty verdict and on top of that paid an assigned penalty to Furius.’¹²

‘The following year Furius was called to account for his obstinacy

by the new Tribune, Caius Canuleius. The People did not wait for his excuses, but tore Furius in pieces. Thus, every year some new abomination was committed in the Forum.’¹³

‘Publius Furius, under indictment for the acts he had performed while Tribune, was slain by the Romans in the very Assembly. He richly deserved to die, to be sure, for he was a seditious person, who after first joining Saturninus and Glaucia had veered about, deserted to the opposing faction, and joined them in attacking his former associates; yet it was not proper for him to perish in just this way. This deed, then, seemed to have a certain justification.’¹⁴

Therefore one prosecution (by Decianus) failed and another (by Canuleius) was interrupted by Furius being lynched by an angry mob, perhaps angry that he had successfully avoided the first persecution. Trying to make sense of this evidence is not easy, compounded by the fact we don’t clearly know why Furius was being prosecuted in the first place; was it for being a supporter of Saturninus and for vetoing the recall of Metellus (as Appian seems to indicate) or was it conversely for betraying the Saturnine cause and passing laws confiscating the property of the murdered men? Certainly, Decianus is portrayed as being sympathetic to the Saturnine camp, but what are we to make of the People both acquitting Furius at one trial and then lynching him at a second? Added to the confusion is that we cannot say with any degree of confidence that both prosecutions were in the same year, nor even what year Furius held office (see above).

All we can say is that the sources indicate that his final prosecution was prior to the recall of Metellus. Whether his opponents would have been able to succeed in this second prosecution is not known and perhaps he (or a powerful patron) had enough support amongst the People to prevent a guilty verdict and hence the lynching. On the other hand, his death did stop Furius from revealing in open court the circumstances surrounding his veto of the recall of Metellus and whose orders he was acting under. Again, which interpretation one takes depends on how one views Marius; a man who was politically outmanoeuvred or a Machiavellian manipulator? The scant evidence we have can be used in a number of ways. What we do know is that a former tribune was prosecuted for his actions whilst in office and then murdered in the Forum.

The second trial was easier to understand, that of the only remaining prominent Saturninus supporter, the tribune of 99 BC Sex. Titius. On this occasion, we are told the charge was related to his

possession of a bust of Saturninus in his house:

‘A like cause laid Sex. Titius in the dust. He was innocent and popular as the author of an agrarian law. But because he had kept a portrait of Saturninus in his house, the whole Assembly condemned him by their votes.’¹⁵

Thus the year saw two former tribunes being tried by their successors, both for their part in the Saturninus affair, with one murdered and one convicted. We can see that prosecutions were being used to settle scores and on these occasions reassert the primacy of the urban plebeians of Rome, over the rural plebeians.

We also have a passing reference to a failed prosecution brought by Decianus of the Curule Aedile of 99 BC (L. Valerius Flaccus).¹⁶ Whilst we are not told the charge, it would be a reasonable assumption that it was connected to the Saturninus affair. Not only did the prosecution fail but, as Cicero points out, Flaccus went on to be elected praetor and eventually consul (86 BC). Interestingly, the Valerii Flacci had links to Marius and L. Valerius Flaccus was actually elected as Suffect Consul in Marius’ place (following his death in 86 BC), indicating the links between these two men. That being the case, it is not too far a stretch to argue that Decianus had started to prosecute more senior Saturninus supporters, and those with links to Marius. Furthermore, it is not surprising that not only did this prosecution fail, but Decianus found himself being prosecuted once he stood down from office (see below). If this is the case, then it shows that there were limits to who Marius was willing to sacrifice to appease the Roman populace and that he retained sufficient political power to prevent his close adherents from being convicted. Therefore, as with the aftermath of Tiberius Gracchus’ murder, the Roman populace vented its anger on the low level supporters of the murdered tribune, but were not strong enough to go after their senior supporters in the upper echelons of the aristocracy.

There is one other interesting, and telling, reform of this year and one passed by the consuls. The two consuls passed a law (the *lex Caecilia Didia*) regulating legislation, in terms of setting down the period of time between a law being proposed and passed (three market days)¹⁷ and prohibiting a law to have two unrelated issues joined together, to stop additional measures being added to a popular bill.¹⁸ This is a highly interesting measure as it is an unusual example of the consuls passing regulations on the timing and content of legislation, which in practice sat primarily with the tribunes. What

these regulations did, was to place limits on (tribunician) legislation in terms of content and speed in passing a bill. Cicero points out that it placed religious observation ahead of tribunician power:

‘If the priests deciding according to the law relating to sacrifices, and the Augurs according to the religious observance due to the auspices, upset your whole Tribunate, what more do you ask? Do you want some still more evident argument drawn from the rights of the People and the laws?’¹⁹

This is the first law we have in this period of the Republic which places limits on the power of legislation and it is interesting that we hear of no tribunician vetoes against this law. We see the Senate taking the first steps to curbing the power of the tribunes, though that is not to say that a future tribunician law could not be pushed through the Assembly reversing these restrictions.

If anything, the following year (97 BC) continued the theme of the former tribunes being disciplined for their actions whilst in office. The most notable was the former tribune C. Appuleius Decianus who had been tribune the previous year and had himself prosecuted a previous tribune, Sex. Titius (see above). Following his year in office Decianus found himself on the receiving end of the same treatment when too he was prosecuted. Again, we are not told why he was prosecuted or even by whom. It is most likely that it was one of two prosecutions he himself had brought that was responsible for his own trial. However, the evidence we have can be used both to argue that Decianus was prosecuted for being pro-Saturninus and anti-Saturninus. In the trial of Titius he had apparently uttered regret at Saturninus’ death (which doesn’t automatically make him pro-Saturninus in reality, but may have done in the eyes of the crowd). Cicero is clearly indicating that it was his pro-Saturnine sympathies that lay behind this.²⁰ On the other hand, he also prosecuted Valerius Flaccus, though whether it was in connection with Saturninus we do not know. It is more than likely that this prosecution had been undermined by the power of Flaccus’ possible patron, C. Marius. Thus Decianus’ own prosecution may have been in retaliation and engineered by Marius himself.

In short, it is possible to mould the limited surviving evidence to fit either hypothesis and to one’s own personal viewpoint. What it does show is that post Saturninus’ death, the political picture in Rome was a fragmented one, with a number of different sides and factions. The temporary alliance of Marius with Saturninus and Glaucia, which had been so dominant, had obviously been shattered by the violence of

100 BC and in its place lay a resurgent Metellan faction, a still powerful Marian one and a rump Saturnine one, alongside a populace seemingly split between urban and rural voters. To be a minor player in this situation seems to have been a precarious position due to the various shifting loyalties and the danger of being trapped between the two powerful factions (of Marian and Metellan). Men such as Furius and Decianus may have been prosecuted paradoxically for either being pro-Saturnine or anti-Saturnine.

The second tribune who suffered a reaction to his year in office was M. Duronius.²¹ He was expelled from the Senate by the censors of this year for his actions as tribune, when he had abolished a sumptuary law (one which prevented excessive spending or luxury):

‘Censors M. Antonius and L. Flaccus expelled Duronius from the Senate because as Tribune of the Plebs he had revoked a law passed to limit money spent on banquets.’²²

Unfortunately, we are not told when Duronius revoked this law. All we can surmise is that it occurred after the previous Censorship (102-101 BC). As his name is not mentioned in the events surrounding Saturninus he is most commonly placed as holding office in 99 or 98 BC. What it does show is that as well as being prosecuted by their successors, tribunes were now faced with expulsion from the Senate (by the Censors), making any reforms risky to undertake for fear of the consequences.

The Years of Silence: Roman Politics and the Italian Question (96–92 BC)

For the following few years, we progress from having a handful of unclear surviving sources to virtually none at all. We only have references to a handful of events on the domestic political front, but they are important as they provide us with at least the tone of politics in this period and the background to the events of 91 BC.

The most notable event can be dated to 95 BC, when the consuls (L. Licinius Crassus and Q. Mucius Scaevola) passed another law expelling Italian citizens from Rome itself, sending them back to their own towns and setting up a special court to enforce this. Thus, the senatorial elite re-opened the Italian question in the most dramatic fashion. As we have seen many of the previous reform programmes had had an Italian element to them, most notably those of the Gracchi, whilst divisions amongst the populace of both Rome and Italy

can be detected throughout the events of the previous forty years:

‘I perceive that there is universal agreement that the Licinian–Mucian law on the restoration of proper citizen status, although the two Consuls were the wisest men of all we have seen, was not only of no use to the state, but was actually damaging. He means L. Licinius Crassus the orator and Q. Mucius Scaevola, Pontifex Maximus, who was also himself an orator and legal expert. For these two in their Consulship passed the law of which he speaks on restoring the allies to their own local citizenship. For a time when the Italic peoples were gripped by extreme eagerness for Roman citizenship and on that account a large portion of them was behaving as if they were Roman citizens, legislation appeared to be a necessity so that each man should be restored to his proper legal rights in his own community. However by this law the loyalties of the elites of the Italic peoples were alienated.’²³

We can see that this was a major piece of legislation, probably the centre piece to these two illustrious politicians’ consulships, a restatement by the Roman elites that the benefits of citizenship were for Romans only and that anyone else, no matter their social status or wealth, was not welcome in Rome and would be excluded and even prosecuted if they attempted to enjoy the benefits of being Roman. As we can see it was not just the legislation, but the very illustrious nature of the men passing it. These were no mere tribunes, but the Pontifex Maximus of Rome himself, not to mention two great legal experts; therefore, this law had the full legal and religious weight of the Roman elite behind it.

Central to this issue was the fact that Roman citizenship brought with it a number of tangible benefits: trial by jury and prevention of arbitrary punishment by a Roman magistrate, the right to vote at Rome (and even sell your vote to the highest bidder) and latterly subsidized grain. Yet the central problem was how could you tell who was a Roman citizen and who wasn’t? Many men of Italian ancestry had been granted Roman citizenship; it needed no form of identification and the citizen registers were held centrally and only really used for recruitment purposes and even then, were only updated every five years (at each census).

We hear nothing about the support this measure enjoyed in Rome, but it clearly had the full weight of the Senate behind it. Crucially we are not told the views of Marius, the most prominent Roman citizen of Italian ancestry. We hear of no tribunes intervening, but then this

measure would likely have enjoyed the full support of the (urban) People of Rome, who would not have liked to share their privileges with Italian 'foreigners'. For once the Senate and People of Rome (the city) were united in a political reform, albeit one which entrenched the status quo.

Aside from the fear of 'immigrants' sharing the spoils of their 'hard work', this measure may well have been a response to the political support that reforming tribunes enjoyed from those citizens outside of Rome. As we have seen, the Gracchi and Saturninus all enjoyed a great degree of support from the rural plebeians from outside the city. Critically, these groups were Roman citizens and had the right to come to Rome and vote. However perhaps there was a fear that Italians could pose of as rural citizens and vote in Rome's elections and overturn the views of the Senate and People of Rome. Naturally enough one does not need hindsight to see what effect this law would have on the Italian population of Italy, who could see their progression to equality reversing. Thirty years earlier, Gracchus and Flaccus had promoted extending the citizenship franchise, whereas now Italians were being expelled, including the provincial elites. Such a law would not stop their demand for equal status and if anything, it would increase it, with the political opportunities such a demand offered for a reforming politician.

There is a second law, most likely tribunician (the *lex Minucia*) which laid down the legal status of children of mixed marriages, between Romans and foreigners, which unsurprisingly stated that unless the marriage was a Roman one, the child would take the inferior status and not be a Roman citizen. The law is undated, but it is often argued that it came from the 94–92 BC period.²⁴ If the law does date from this period we can see that the Roman establishment was taking the offensive in terms of legislation and entrenching their position, in a backlash to the previous forty years of reforms.

Whilst on the one hand we have the impression of a unified Roman elite passing legislation enforcing the status quo, we do have notable examples showing that the political prosecutions continued and that the senatorial elite was actually as divided as ever, possibly even to the point of assassination. There are two notable prosecutions in this period, one of which was again that of a former tribune for his actions in office. The ex-tribune in question was C. Norbanus (Tr. 103 BC). Norbanus had been an ally of Saturninus in 103 BC and ironically was prosecuted under Saturninus' own treason law. During his year in

office, Norbanus had prosecuted the former consul Caepio for his defeat at Arausio and driven off two of his tribunician colleagues who were attempting to veto the trial from the Assembly by force (see [Chapter Six](#)). The unusual aspect of this case is not that Norbanus was tried for his actions as an ally of Saturninus but that it had taken nearly a decade for him to be prosecuted (the trial dates to either 95 or 94 BC).

Cicero devotes an entire section of one of his works to the case and makes several other references to it, and sways between labelling Norbanus as a seditious tribune and as only 'complying with the wishes of the People'.²⁵ However, despite being prosecuted for his action as tribune in 103 BC and being a former ally of Saturninus, Norbanus was defended by the noted orator M. Antonius and acquitted. Yet this case does show that nearly a decade later the repercussions of the Saturninus period were still being felt and that tribunes were still being prosecuted for their actions. It also shows us that the divisions amongst the senatorial elite were still rife, with prosecutions being brought to settle rivalries. It is difficult to say whether this case affected his subsequent political career, as he did reach the consulship (Cos. 83 BC), following the disruption caused by the civil war (see below).

The other notable prosecution of this period was that of P. Rutilius Rufus. The case became a famous one in Roman politics as a notable example of a miscarriage of justice and highlighted the issue of the role of the equestrian order in both tax collection in Asia Minor and their control of the juries of the extortion courts, both of which reforms had been instituted by Caius Gracchus. Rutilius had been consul in 105 BC but spent a year in the 90s BC as a legate of Q. Mucius Scaevola (Cos. 95 BC) who was governor of the province of Asia (Minor). Whilst serving as his legate he is quoted as opposing the equestrian tax collectors in their excessive demands from the locals. Yet when he returned to Rome, he was prosecuted for extortion himself and convicted by an equestrian jury and sent into exile.²⁶ Thus we can see that the tensions between Senate and equestrians, which had first been brought to the surface some thirty years earlier by the reforms of Caius Gracchus, were still present in Roman politics.

We are not told of the identities or actions of any tribunes of this period, with one notable exception. Cicero refers to a law being passed in response to a period of disorder caused by tribune Cn. Papirius Carbo:

‘And the Senate adopted the view in its decree when the disorder instigated by Cn. Papirius Carbo was brought to its attention by C. Claudius the Consul. For it voted that disorder could not occur during an Assembly of the People against the will of the presiding officer, since he had the right to adjourn the meeting as soon as a measure had been vetoed and confusion started.’²⁷

Although we have no further details, we can see that once again there was disorder in an Assembly when a tribune used his power of veto and violence broke out. On this occasion, the Senate felt strong enough to issue a decree restating that the presiding officer could end the Assembly. With just this snippet we can see that clashes between tribunes and violence at Assemblies continued and that the Senate felt compelled to try to control it.

The other notable event of this period which reveals the tone of Roman political life is the suspected murder of Q. Caecilius Metellus Numidicus himself. As we have seen, Numidicus hailed from the leading Metellan family, had been usurped by Marius from the command of the Jugurthine War and then exiled from Rome by Saturninus. He returned from exile triumphantly in 98 BC and presumably returned to his role in Roman politics, as a senior member of a leading political faction in the Senate. Given the lack of sources for this period, we do not know the details of his activities, but a brief line of Cicero reveals that he was involved in a clash with the politician Q. Varius Severus, when it seems that he died suddenly, with Varius being suspected of poisoning him:

‘That barbarous creature Quintus Varius was executed with the most painful torture: if this was for stabbing Drusus and poisoning Metellus, it would have been better for their lives to be preserved than for Varius to be punished for his crime.’²⁸

Cicero’s reference is the only mention of Numidicus’ death and is not reliable evidence for his poisoning, merely that the rumour was circulating at the time. Interestingly, this situation does resemble the death of another famous Roman general, Scipio Aemilianus, who died suspiciously during a political clash in the post-Gracchan period (129 BC, see [Chapter Two](#)). If this was the case then two of Rome’s greatest generals of the period met their death at the hands of fellow Romans, in political clashes.

The Reform Programme of M. Livius Drusus (91 BC)

It is against this background of political clashes that we come to the year 92 BC and the tribunician candidacy of a certain M. Livius Drusus. The name should be familiar to us, as the man's father (of the same name) was the tribune who opposed Caius Gracchus during his second tribunate (122 BC, see [Chapter Four](#)). Following his opposition to Gracchus, Drusus (the elder) had an impressive political career, becoming consul in 112 BC and censor in 109 BC. Thus, when his son stood for tribune, it was more akin to the Gracchan situation (sons of consuls), rather than Saturninus (a political newcomer). The son of a consul taking his first political step by holding the tribunate was not unusual. What was unusual is that, just like the Gracchi, he stood for the office with a programme of political reforms to enact and the backing of some of the most powerful men in the Senate.

Cicero in fact details that Drusus was allied to three of the most powerful Roman senators: L. Licinius Crassus (Cos. 95, Cens. 92 BC), Q. Mucius Scaevola (Cos. 95 BC) and M. Antonius (Cos. 99, Cens. 97 BC).²⁹ Crassus and Scaevola had been the consuls who had recently enacted the law which expelled Italians from Rome (95 BC). Crassus furthermore was one of the two serving censors for 92 BC. Cicero goes on to mention that, as well as Drusus, these three Roman politicians had two other young protégés: C. Aurelius Cotta, who would stand for the tribunate of 90 BC, and P. Sulpicius, who was elected tribune for 88 BC. We can see that we have a political alliance of senior Roman politicians sponsoring a number of younger protégés into the tribunate to press home their political agenda. Cicero also reports a meeting that took place between the men, as reported to him first hand by one of the participants, Aurelius Cotta:

‘On the first day they talked for a long time, until sunset, about the present crisis and the political situation in general – the actual reason they had assembled. And in this conversation, Cotta used to tell me, these three former Consuls discussed developments they found deplorable.’³⁰

We have a glimpse into the normally private world of backroom political manoeuvrings which were central to the working of the Roman political system and can see a group of young politicians holding the tribunate, as the tool of political reform, supported by senior Roman politicians, who provided the backing and the substance of the reforms they felt necessary to repair the Republic. As with Tiberius Gracchus, this leads us into the question of whether tribunes of this type (the Gracchi and Livius Drusus) were merely the

instrument of reform, used by more senior politicians to enact their reform programmes, and what input they had into the reforms they proposed. This is especially the case when, on multiple occasions over this period, the tribune who proposed the reforms would be murdered, but the backers usually escaped, making them perhaps disposable tools? As we can see in this case, the senior politicians had three men lined up for the tribunate, presumably one after the other annually, either to continue and strengthen the previous tribune's reforms or pick up where they left off, if they fell, which by this point in the Republic must have been a serious consideration.

The other interesting aspect to note is that all three senior men were staunch pillars of the established nobility, none of whom could be classed as populists. Yet they too saw that use of the tribunate was the most powerful and swiftest method to reform the Roman state. Again, without a good surviving narrative source we have to piece together Drusus' proposals, which do seem to resemble a full programme of political reforms more akin to Caius Gracchus. This programme seemed to tackle the two thorniest issues in Roman politics at the time: the composition of juries and the different types of citizenship within Italy.

Whilst we have a number of surviving sources which comment on Drusus' tribunate, it is impossible to present an accurate chronology of his legislation; but we can see two major bills or groups of bills. It seems that his early reforms followed a similar path to his illustrious and infamous predecessors, the Gracchi and Saturninus, with laws on grain and land distribution, though again few details can be recovered. Several sources comment that these laws were passed in order to get the urban plebeians in the Assembly on his side to support more radical proposals.³¹ According to Appian these measures included resurrecting previous legislation on the planting of colonies in Italy and Sicily (though whose' legislation is not mentioned). It may well be that these were the colonies agreed by Saturninus and then annulled after his death (see [Chapter Six](#)).

‘Thus it came to pass that both the Senate and the Knights, although opposed to each other, were united in hating Drusus. Only the Plebeians were gratified with the colonies. Even the Italians, in whose especial interest Drusus was devising these plans, were apprehensive about the law providing for the colonies, because they thought that the Roman public land (which was still undivided and which they were cultivating, some by force and others clandestinely) would at

once be taken away from them, and that in many cases they might even be disturbed in their private holdings. The Etruscans and the Umbrians had the same fears as the Italians.³²

We can see therefore that this law involved the planting of colonies within Italy (Etruria and Umbria at least), using the distribution of public land (*ager publicus*). Again, as with the original proposal of Tiberius Gracchus, whilst one section of the population would benefit from this (those being given the land) another section would be harmed by it. This shows the careful weighing up of options that anyone passing a reform would have to go through to ensure it benefitted more people than it harmed, and just how much political weight each of the groups carried.

The Periochae of Livy has a different slant on these measures. According to this source, Drusus relied on Italian help to push these measures through the Assembly.³³ On the face of it, this is an odd statement as Italians without Roman citizenship would not be allowed to vote in the Assembly. It is possible he relied on Roman citizens of Italian background, as opposed to those long-standing citizens in Rome. Again, this would be a Roman politician exploiting the different sections of the Roman citizen body and setting them against each other. Yet the other sources state that these laws were for the benefit of the Roman urban plebeians. As is common in this period of the Republic it is not always possible to make the various sources reconcile their different versions.

Whilst his first reforms (a law on land distribution and grain) were standard fare for a reforming tribune, his next major reform was far bolder, expanding the Senate by adding 300 equestrians to it and then handing over control of all juries to the newly enlarged Senate. The plan was clearly to bring together the two (sometimes antagonistic) factions of the Roman elite, the senatorial and equestrian orders (many of whom were interrelated anyway). This forced amalgamation of the two orders resembles the intertwining of the patrician and plebeian orders across the fifth and fourth centuries (see [Chapter One](#)), albeit done by immediate statute rather than a process of political evolution. Whilst this proposal seems to have been a logical one on paper, uniting the senatorial and equestrian orders and ending the clashes over jury composition, there would have been many on both sides who would have objected to such a forced move.

The senatorial families would not have liked the doubling of their number and hence the halving of their chance at high office, whilst

the equestrian families would not have taken well to the prohibition on senators engaging in trade, nor the new supremacy of the Senate and its control of juries, even if manned by some of their number. Furthermore, this was a massive step in the power of the tribunate. The number of the Senate had been traditionally 300 since the time of the kings but in reality, the actual number of senators would have fluctuated from year to year along with the mortality rates. The only magistrates with the power to create senators were the censors, who only revised the senatorial rolls every five years. Nevertheless, Drusus was proposing to double this long-standing number of senators by popular vote; a massive expansion of tribunician power.

Drusus' next attested reform is far more obscure and is only known from a passing reference to a reform of the coinage whereby he passed a law on the metallic composition of the coinage: 'Livius Drusus, when Tribune of the People, alloyed the silver with one-eighth part of copper.'³⁴ Measures on coinage may sound uninspiring but in an economy based on metallic coinage were of critical importance to the economic well-being of all the People. We have no context for what brought this reform about, but if it brought about stability to the currency or made people's money go further, then it would be a popular move for Drusus.

Thus, we can reconstruct the following reforms: laws on land distribution, grain distribution and coinage composition, none of which have many details preserved. We also have a detailed reform on the size and composition of the Senate and jury composition. The obvious missing element is perhaps the one which Drusus is the most noted for: Roman citizenship and the Italians. Throughout the surviving sources, we have references to Drusus encouraging the Italians in their quest for Roman citizenship and various promises apparently being made. Yet despite this being what he is known for, there are surprising few actual details as to what the proposal was.

The Opposition to the Reforms of M. Livius Drusus.

Obviously, with a number of controversial proposals – especially the one for enlarging the Senate – Drusus could expect a significant amount of opposition, in both the Senate and Assembly, even with the backers he had. Firstly, our surviving sources do not record the actions of the other nine tribunes of this year to these proposals, other than an

inscription which refers to Saufeius as tribune this year setting up an agrarian commission to distribute land, of which Drusus was a member. We can assume that Saufeius supported Drusus and his land proposal. Of the other eight men, we have no trace and we certainly have no surviving evidence for a tribunician veto being used or even threatened, though given the paucity of sources this does not mean this was not actually attempted.

On this occasion, the principal opposition came from within the Senate itself, and in particular from one of the consuls (L. Marcius Philippus) and one of the praetors (Servilius Caepio).³⁵ A number of sources paint the clash between Caepio and Drusus as being a violent one and one which was the origin of the events that subsequently occurred: 'that the quarrel between Caepio and Drusus began which was the primary cause of the war with the allies and the disasters that sprang from it.'³⁶

Caepio, it seems, initially attacked both Philippus and then Drusus: 'In this state of affairs Servilius Caepio and Livius Drusus, men of equal wealth, spirit and dignity – and it was this which inspired the emulation of Livius Drusus – supported, the former the knights, the latter the Senate. Standards, eagles and banners were, it is true, lacking; but the citizens of one and the same city were as sharply divided as if they formed two camps. First of all Caepio, attacking the Senate, singled out Scaurus and Philippus, the chief men of the nobility, and prosecuted them for bribery. In order to counteract this move, Drusus rallied the commons to his support by the bait of the Gracchan laws, and used the same means to rally the allies to the support of the commons by the hope of receiving the citizenship. A saying of his has survived, that "he had left nothing for anyone else to distribute, unless he wished to share out the mire or the air." The day for the promulgation of the bills was at hand, when on a sudden so vast a multitude appeared on all sides that the city seemed to be beset by a hostile force. Philippus the Consul, nevertheless, ventured to oppose the bills, but the Tribune's attendant seized him by the throat and did not let go until blood poured into his mouth and eyes. Thus the bills were brought forward and passed by violence.'³⁷

'With their help, he carried by force laws on the distribution of land and grain.'³⁸

'He was not content with throttling Consul L. Philippus, using a client of his, not his viatores, because he had dared to interrupt him as he was addressing a public meeting and drove him headlong to prison

with such violence that blood gushed from his mouth.’³⁹

‘Caepio, an enemy was opposing his options; Drusus threatened to hurl him from the Tarpeian Rock.’⁴⁰

‘For although the Plebeians obtaining land rejoiced, the ones driven off were aggrieved.’⁴¹

Unpicking this information, we can find that Caepio brought prosecutions against at least one of Drusus’ backers (Aemilius Scaurus), the outcome of which is not known. He also prosecuted Philippus, who was also an opponent of Drusus, which either shows a fragmented opposition or, as some have advanced, that Philippus was originally backing Drusus. When this tactic failed, both Philippus and Caepio tried to stop the proposal in person, but were driven from the Assembly by force. Philippus was attacked by a tribunician official (*viator*), whilst Caepio was threatened with execution in a manner reserved for traitors: being hurled from the Tarpeian Rock (on the Capitol). Furthermore, Drusus seems to have packed the Assembly with his supporters, possibly again using citizens from outside of the city.

Once again we can see that violence was again used in the Assembly to pass legislation and that a consul was assaulted by another official. Despite the legislation being passed, it seems that Philippus continued his campaign of opposition, not only utilizing his position as a consul, but also that of an augur. Whilst a consul could not overturn tribunician legislation on political grounds, an augur could overturn it on religious grounds by declaring it inauspicious due to some religious sign being observed (anything from animal behaviour to the weather). Such a method had recently been used to overturn the legislation of Sex. Titus (see above). According to Cicero, matters came to a head in the Senate in September of 91 BC, though we are not told when the legislation was passed:

‘Then on the morning of the Ides of September, Crassus, together with a large number of Senators, came to the Senate House at the summons of Drusus. There Drusus complained at length about Philippus’s behaviour and then formally put before the Senate the issue of a Consul having so vehemently attacked their order at a public meeting.’⁴²

Thus, both sides gathered in the Senate where Crassus and Philippus had a lengthy argument about this reform programme, reported in depth by Cicero; an argument which seemingly culminated in Crassus being taken sick:

‘For as we heard, on that occasion, while speaking, he was seized by a pain in the side, and then broke out in a sweat. He began to shiver, returned home with a fever, and, after six days, died of pleurisy.’⁴³

Crassus’ death seems to have robbed the Drusan reform programme of one of its strongest backers in the Senate. It is interesting to speculate on whether his death was entirely natural, given the coincidental timing and Cicero’s previous comment on Metellus being murdered. Yet no surviving ancient source raises this question. Nevertheless, the death of Crassus seems to have swung the balance of power in the Senate in Philippus’ favour and, at some point this year, Drusus’ legislation (at least the bills on land and grain distribution and enlarging the Senate and giving it powers over juries) was annulled by senatorial decree on the grounds of it being inauspicious, as determined by Philippus as augur:

‘And so Philippus the Consul, who was his personal enemy, procured from the Senate a vote that all of his laws should be disallowed by a single Senatorial decree. It was decided that they had been passed contrary to the auspices, and that the People were not bound by them.’⁴⁴

Diodorus actually preserves, or claims to preserve, Drusus’ reaction:

‘When the Senate rejected the laws proposed by Drusus, he said: “Although I have the power to oppose the decrees of the Senate, I will not do so, because I know that the guilty will soon receive their punishment.” He added that if his laws were revoked, it would result in the abolition of his law about the judiciary; by this law, every incorruptible man was freed from the fear of prosecution, while those who plundered the provinces would be punished as criminals; so that the envious men, who sought to diminish his glory, would as it were kill off their own decrees.’⁴⁵

At this point, despite the violence used so far, it seems that the Roman system had actually managed to resolve a clash over reforms without major bloodshed. Furthermore, we can see that the Senate had developed a new weapon in its battle against popular reform legislation, annulling them on the grounds of them being inauspicious. Thus, religion seems to have trumped the decisions of the People and gave the Senate some measure of ‘veto’ over legislation.⁴⁶

Backlash, Murder and the Collapse into Civil War

Whilst Drusus, and his supporters in the Senate, appeared to have

accepted the annulment of his reforms, it does not seem that the same can be said of his Italian backers. Crucially, we do not know (and never will) whether Drusus and his backers made any concrete promises to any particular Italians or groups of Italians. We do have one source which states that with the failure of these early reforms he turned to the issue of Roman citizenship for the Italians.

‘Since his excellent programme had fared so badly, Drusus turned his attention to granting the citizenship to the Italians.’⁴⁷

Our surviving sources do preserve a curious collection of Italian actions which seemed to escalate. Our understanding of these events is hampered by the lack of any clear co-ordinating narrative or chronology of events. Nevertheless, we do have the following:

‘Pompaedius, general of the Marsi, attempted a great and extraordinary feat; for he picked out ten thousand soldiers from amongst those who were afraid of suffering due punishment for their offences, and, ordering them to hide their swords under their coats, marched with them towards Rome, with the intention of surrounding the Senate with armed men, and demanding to share in citizenship; and if this was not granted, they would ravage the state with fire and sword. Caius Domitius met him upon the road, and asked him: “Whither do you go, Pompeaedi, with so great a company?” He answered, “To Rome,” for he had been summoned by the Tribunes of the Plebs, to share in the citizenship. But Domitius replied, “You may obtain what you seek far more easily, and much more honourably, if you do not approach the Senate in a hostile manner; for the Senate will not be compelled, but entreated and petitioned, to bestow such a favour upon the Latins, who are their allies and confederates.” Pompeaedi was struck by this, as with a divine admonition from heaven, and, convinced by what Domitius had said, he immediately returned home. And thus Domitius, by his prudent advice, delivered his country from the dreadful misfortune that threatened it.’⁴⁸

‘By Capitoline Jupiter, Vesta of Rome, Mars the patron of the city, Sol the origin of all the People, Terra the benefactress of animals and plants; by the demigods who founded Rome, and the heroes who have contributed to the increase of its power, I swear that the friend or the enemy of Drusus will also be mine; I will not spare my life or my children or my parents, if the interests of Drusus and those who are bound by the same oath require it. If, by the law of Drusus, I become a citizen, I will regard Rome as my homeland, and Drusus as my greatest benefactor. I will communicate this oath to the largest

possible number of my fellow citizens. If I keep my oath, may I obtain every blessing; and the opposite, if I violate my oath.’⁴⁹

‘The first plan of campaign was to murder the Consuls, Iulius Caesar and Marcus Philippus, on the Alban Mount amid the sacrifices and altars at the celebration of the Latin Festival.’⁵⁰

‘When the Latins were going to kill the Consul Philippus on the Alban Mount, Drusus warned him to be on his gourd. Because of this he was accused in the Senate.’⁵¹

We therefore have a march on Rome by a Marsic army, a curious oath of allegiance to Drusus by a group of Italians and a plot to murder the two consuls (as revealed by Drusus himself). What we must bear in mind is that all this evidence comes from a period after the subsequent civil war and may well have been altered to fit the popular myth of what happened, rather than the true events.

Nevertheless, it does seem that a number of Italians, whether encouraged directly by Drusus or not, lost faith in the ability of Roman politics to pass the necessary reforms to expand Roman citizenship and decided to take direct and violent action. However, they seem to have come to naught; the march on Rome was prevented and the assassination plot revealed. Yet these events should have been warnings to the Senate that the issue of Roman citizenship for the Italian peoples was becoming an explosive one. Certainly, it seems that the Senate did take the matter seriously enough to send envoys to key Italian towns, though this backfired spectacularly in the case of Asculum (see below).

However, events in Rome took a bloody turn and added to the explosive atmosphere. Despite his proposal being overturned on religious grounds and despite not actually presenting a reform law expanding Roman citizenship, Livius Drusus was murdered by unknown assailants near his own home:

‘When the Latins were going to kill the Consul Philippus on the Alban Mount, Drusus warned him to be on his gourd. Because of this he was accused in the Senate and, when he was returning home, was killed by an assassin dispatched in the midst of a crowd.’⁵²

‘While he was engaged in this effort, and was returning from the forum surrounded by the large and unorganized crowd which always attended him, he was stabbed in the area before his house and died in a few hours, the assassin leaving the weapon in his side.’⁵³

‘Drusus learned of the plot against him and did not go out

frequently, but transacted business from day to day in the atrium of his house, which was poorly lighted. One evening as he was sending the crowd away he exclaimed suddenly that he was wounded, and fell down while uttering the words. A shoemaker's knife was found thrust into his hip.'⁵⁴

'Cornelia, the wife of Livius Drusus, lost by the hands of an unknown assassin a young son of great distinction, who was treading in the footsteps of the Gracchi, and was murdered in his own house just when he had so many bills half way through the process of becoming law.'⁵⁵

'O Drusus, your blood bespattered the walls of your home, and your mother's face.'⁵⁶

It is clear that even if he wasn't actually responsible for the march on Rome or the assassination plot, he was being linked with them in many people's minds (both senators and ordinary citizens). His murder may well have been due to others considering him a traitor or to stop him from actually presenting a bill on extending the Roman citizenship to the Italians. Naturally enough there was no shortage of people held responsible for his death:

'the hatred arising from his murder fell upon Philippus and Caepio.'⁵⁷

'That barbarous creature Quintus Varius was executed with the most painful torture: if this was for stabbing Drusus and poisoning Metellus'⁵⁸

No one was ever tried for the murder of Drusus and the identity of the murderer or more importantly, who ordered the death is lost to history. Given that his tribunate was coming to an end and that his previous proposals had been overturned, combined with the death of Crassus, it does seem unlikely that it was one of his senior political opponents, such as Philippus. If anything, the faction Drusus was a member of had two other young politicians lined up for holding the tribunate (C. Aurelius Cotta and P. Sulpicius), men who could propose a citizenship reform bill the following year. Cicero's reference to Varius is interesting, especially as he links him to the death of Metellus. We know little of Varius prior to his tribunate (see [Chapter Eight](#)), but it does seem that he was more involved in the domestic politics of this period than the surviving sources detail.

Whilst there was no immediate backlash in Rome to Drusus' death, in part due to the secretive nature of the assassination (unlike previous tribunes' deaths which were very public affairs), it would

have added an extra layer to the tension between Rome and the Italians. Here was a leading Roman politician who had championed Italian rights to full citizenship being murdered in secret. While no cause and effect can ever be proved, it was only a short period in time before the spark was provided which turned the citizenship issue into the collapse of the Roman Republican system and the outbreak of Rome's First Civil War. The spark occurred in the Italian town of Asculum with the murder of the praetor Servilius (possibly a kinsman of Drusus' opponent Caepio):⁵⁹

'When they [the Senate] heard what was going on they sent men round to the towns, choosing those who were best acquainted with each, to collect information quietly. One of these agents saw a young man who was being taken as a hostage from the town of Asculum to another town, and informed Servilius, the Praetor, who was in those parts. Servilius hastened to Asculum and indulged in very menacing language to the people, who were celebrating a festival, and they, supposing that the plot was discovered, put him to death. They also killed Fonteius, his legate (for so they call those of the senatorial order who accompany the governors of provinces as assistants). After these were slain none of the other Romans in Asculum were spared. The inhabitants fell upon them, slaughtered them all, and plundered their goods.'⁶⁰

'The full fury of the rising broke out at Asculum, where representatives who were present at the time from Rome were butchered amid the crowd which had gathered for the games. This act served as the oath which pledged them to Civil War.'⁶¹

'For Servilius spoke to them not as to freemen and allies, but as to slaves, and insulted them with the greatest scorn and contempt imaginable. He uttered such appalling threats, that he provoked the allies, to the ruin and destruction both of himself and others.'⁶²

Thus, one of the envoys sent by the Senate to visit the key Italian towns following the march on Rome and the assassination plot, enflamed matters to such an extent that both he and his legate were murdered. Asculum rose in revolt, soon followed by many of the Italian regions and the Romans found themselves fighting for their very existence.⁶³ Thus we can see that many of the Italians certainly believed that political reform was not possible in Rome, certainly not to the extent that they wanted. Within forty years, the murder of a reforming tribune had been followed by a catalogue of bloodshed over how to reform the Roman Republican system, which ultimately

culminated in the collapse of Roman rule in Italy itself and a spiralling civil war. Nevertheless, despite the outbreak of warfare in Italy, the politics in Rome continued.

Summary

Thus, in less than a decade the Republic went from bloodshed on the streets of Rome to a full-scale civil war in Italy, threatening the very Republican system. At its heart lay the failure of the reform process, with the Senate overturning a powerfully backed proposal to admit Italians into full Roman citizenship. There had been two serious attempts to push legislation through the Assemblies on the issue: Flaccus and Gracchus in 122 BC and Livius Drusus in 91 BC. On both occasions, the proposals were defeated and all three men were murdered (with a fourth key backer, L. Licinius Crassus, dying a suspiciously timed death). Furthermore, the measures which were successful were ones which expelled Italians from Rome, emphasising their second-class status.

We do not know if the murder of Drusus was the last straw, or was incidental following the defeat of his reform legislation. What this period did show to the Italians at least is that this issue would not be resolved by the normal political process in Rome. We do not know whether Drusus arranged for an armed Marsic force to march towards Rome to show their support, but it did highlight how high the stakes had become. In the end, the defeat of Drusus' proposed reforms did not make the declaration of civil war by the Italian rebels inevitable, but it did highlight the resistance to change amongst a significant proportion of the senatorial elite and the systemic problems that lay at the heart of the Republican system.

Frustratingly we have only a few sources for the events of this period, brought about by the loss of the narrative sources. We are also denied any information on the attitude and actions of C. Marius in this period, Rome's most prominent statesman of Italian ancestry.

POLITICAL REFORM AND THE FIRST CIVIL WAR (91–70 BC)

Chapter Eight

Reform, Resistance and the Roman Army (91–88 BC)

Although Italy had collapsed into civil war (between those who supported Rome and those who supported the Italian rebels) and despite the various military clashes across Italy, politics at Rome continued in much the same vein.

Backlash and Reform: Sullan Trials and Citizenship (90 BC)

The principal activities at Rome centred on one of the tribunes of 90 BC (Q. Varius Severus). The tribunician elections in late 91 BC seem to be revealing, as it appears that Drusus' ally and another protégé of the Crassus/Scaurus/Antonius alliance (C. Aurelius Cotta) was defeated in the tribunician elections for the following year (90 BC), which was a further setback to the faction and their reform programme. Sensibly they had arranged that Drusus would be followed in the tribunate by Cotta and then Sulpicius, which would ensure the continuity of the reform programme. Unfortunately for them not only were Drusus' reforms overturned before the year was out, but their next candidate failed to be elected. Cicero adds the detail that this reversal came just a few days after the death of one of the group's key leaders, L. Licinius Crassus (see [Chapter Seven](#)). Given that there were ten places available in the Tribunician College and that Cotta came from a long-standing senatorial and tribunician family,¹ and had powerful political backing, this reversal is unusual.

Even more unusual is that fact that Q. Varius Severus was elected. Varius is something of an enigma and seems to have played a larger role in the domestic Roman politics in the late 90s than our surviving sources preserve. Cicero refers to him as being the man responsible for the murder of both Metellus Numidicus and Livius Drusus, though there is no corroborating evidence to support this from other sources. Varius appears to have been a Roman citizen from the Spanish town of Sucro and several sources record the rumour that he was not actually a Roman citizen at all, though they are probably repeating a slur his political enemies used at the time.²

Given that he appears to have been an opponent of Drusus', it may well have been the case that Varius campaigned on an anti-Italian and anti-Drusan platform, which would have gone down well with the inhabitants of Rome itself, who were notoriously jealous of their citizen privileges. This would explain Varius' victory and Cotta's defeat. Furthermore, it may well be that Varius was being sponsored by the opponents of the Scaurus/Grassus alliance, notably Q. Servilius Caepio (see below).³ Nevertheless, such an election result would have alarmed both the Scaurus/Drusus faction and the Italians themselves (those who followed Roman politics at least), adding to the explosive atmosphere in late 91 BC.

By the time Varius had entered office (10 December 91 BC), the Italian revolt had started and Rome was plunged into its first civil war. Such an event could have had two possible outcomes on Roman politics: either a desire for a political solution and thus sympathy for the Italian cause or an anti-Italian backlash. With Grassus and Drusus both dead and Varius in the tribunate, it is no surprise that the Roman People were led down the path of an anti-Italian backlash. This backlash took the form of Varius' flagship legislation, a judicial bill to set up a special tribunal to prosecute those who had 'aided or supported' the Italian cause. In this he was ably supported by the equestrian order, which would still make up the juries of such a tribunal, given the Senate's own annulment of Drusus' judicial law, returning to them control of the juries (see [Chapter Seven](#)):

'The knights, in order to make his policy a ground of vexatious accusation against their enemies, persuaded the Tribune Quintus Varius to bring forward a law to prosecute those who should, either openly or secretly, aid the Italians to acquire citizenship, hoping thus to bring all the Senators under an odious indictment, and themselves to sit in judgment on them, and that when they were out of the way they themselves would be more powerful than ever in the government of Rome.'⁴

Ironically, thanks to the Senate's annulment of Drusus' law on the transfer of juries back to their control, they now found a special body set up to try anyone suspected of sympathising with the Italian rebels. Given that Italian armies were attacking Roman forces, such a court could easily turn into a witch-hunt and see people convicted on the flimsiest of evidence. Naturally enough there were a number of tribunes willing to veto such a proposed law:

'When the other Tribunes interposed their veto the knights surrounded

them with drawn daggers and enacted the measure, whereupon accusers at once brought actions against the most illustrious of the Senators.’⁵

So for the second year running, a tribune used violence to push his reform measure through the Assembly and again tribunician vetoes were ignored. Given the nature of the court and the policy of the Scaurus/Drusus group the year before, it is not difficult to see how the first targets of such a court were the remaining members of the group. Thus, we see the irony of this group being prosecuted for aiding the Italian revolt, when in reality their reform programme was aimed at a peaceful resolution to the Italians’ complaints and the revolt only broke out when their reforms were frustrated.

Despite our scattered sources for the period we hear of the prosecutions of the two leading men of the group: M. Aemilius Scaurus (Cos. 115 BC), the *Princeps Senatus*, and M. Antonius (Cos. 99 BC).⁶ Interestingly, Asconius reports that Q. Servilius Caepio, who had opposed the Drusan group the previous year, was backing Varius:

‘Then Q. [Servilius] Caepio, an old enemy of Scaurus, hoping that he had found an opportunity to crush him, arranged for Q. Varius, as Tribune of the Plebs, to order Scaurus, at the age of seventy-two, to appear before him, on a charge of having stirred up the war.’⁷

However, despite the atmosphere and the composition of the jury, both men were able to secure acquittals, as did Q. Pompeius Rufus (Cos. 88 BC). The same could not be said of the lesser members of the group; at least three went into exile: L. Calpurnius Bestia, L. Memmius, and C. Aurelius Cotta himself.⁸

‘Of these Bestia did not respond, but went into exile voluntarily rather than surrender himself into the hands of his enemies. After him Cotta went before the court, made an impressive defence of his administration of public affairs, and openly reviled the knights. He, too, departed from the city before the vote of the judges was taken. Mummius [Memmius], the conqueror of Greece, was basely ensnared by the knights, who promised to acquit him, but condemned him to banishment. He passed the remainder of his life at Delos.’⁹

Once again it seems that the younger members of the group were sacrificed whilst the senior members escaped. This would appease the People’s need for scapegoats without embarrassing the Senate by having any of its senior members (and former office holders) convicted of aiding the rebels. However, it would appear that after this rash of prosecutions the impetus behind the court died down.¹⁰

Asconius reports that the Senate suspended trials under this court due to the increasingly serious nature of the Italian rebellion.¹¹ Cicero does provide an interesting postscript to these events and the final trial under the Varian law, which took place the following year (89 BC), and which was of Q. Varius himself: 'The next year Q. Varius was condemned, and banished, by his own law'.¹²

Thus, in a nice piece of poetic justice, the author of the law was himself convicted and exiled, again perhaps showing the change in mood of the Roman People. We hear nothing more from the tribunes of this year, but unusually Cicero does present us with his impressions of some of the other tribunes:

'C. Curio was chosen a Tribune of the People; though he left off speaking after being once deserted by his whole audience. To him I may add Q. Metellus Celer, who, though certainly no orator, was far from being destitute of utterance: but Q. Varius, C. Carbo, and Cn. Pomponius, were men of real eloquence, and might almost be said to have lived upon the Rostra.'¹³

Later in the year, however, when perhaps the shock of the Italian revolt had died down, there came a major piece of reforming legislation and interestingly it came from a consul, not a tribune. Towards the end of the year, and after campaigning in southern Italy, L. Iulius Caesar, the surviving consul¹⁴ returned to Rome, ostensibly to hold the elections for the following year. However, he proposed (and passed) a ground-breaking piece of legislation, which awarded Roman citizenship to all Latin and Italian communities which had not revolted against Rome:

'The Senate also voted that those Italians who had adhered to their alliance should be admitted to citizenship, which was the one thing they all desired most. They sent this decree around among the Etruscans, who gladly accepted the citizenship. By this favour the Senate made the faithful more faithful, confirmed the wavering, and mollified their enemies by the hope of similar treatment. The Romans did not enrol the new citizens in the thirty-five existing tribes, lest they should outvote the old ones in the elections, but incorporated them in ten new tribes, which voted last. So it often happened that their vote was useless, since a majority was obtained from the thirty-five tribes that voted first. This fact was either not noticed by the Italians at the time or they were satisfied with what they had gained, but it was observed later and became the source of a new conflict.'¹⁵

It also seems that there were subsequent clauses which allowed

Roman commanders in the field to grant citizenship to allies (presumably who had rebelled) whom they deemed fit on a case-by-case basis, perhaps including those who had surrendered.¹⁶ Thus it was the Senate which took the lead in this matter and after decades of resisting the change saw that this key reform to the Roman citizenship franchise was necessary if the war in Italy was to be won.

The year had seen a number of Roman reversals on the battlefield, including the loss of one of the consuls, P. Rutilius Lupus.¹⁷ This revolt had struck at the fundamental bedrock of the Roman military system: its ability to call on the manpower of the whole of Italy. Now they faced a number of their own allies, all trained in Roman warfare, with armies only a few days from Rome itself. It is clear that the main aim of this legislation was to prevent further defections from Rome's remaining allies to the rebel cause, whilst removing the motivation for the rebellion from any moderate rebels (those who only wanted equality within the Roman system, as opposed to full independence from it). We do not need to dwell too much on the fact that if the Senate had done this a year earlier then the Italian rebellion may well not have occurred and the Republic's very existence would now not have been threatened.

Thus at a stroke the Senate overturned the basic settlement of Roman Italy which had been in place for nearly 150 years. The three different grades of citizenship – Roman, Latin and Italian – were swept away and everyone in Italy (below the River Po and thus excluding Cisalpine Gaul) became a Roman citizen. The obvious caveat to this is that it was only granted to those Latins and Italians who hadn't rebelled; the others would have presumably retained their old Latin or Italian status, though for how long is another matter.

For such a monumental piece of Roman reforming legislation we have only a few scattered references in our surviving sources for the period. Had we a full narrative source for the period, we would have a clearer understanding of the thinking behind the measure and how it was achieved. The obvious point to note is that none of our surviving sources refer to any opposition, from either within the Senate or the People and certainly nothing from the tribunes, despite the fact that Varius was still holding the tribunate.

It is possible that all sections of Roman society saw how serious the situation was in Italy and the need to prevent any further rebellions. It is also possible that the key to pushing this legislation through lay in the clause which stated that ten new voting tribes would be created.

This 'sting in the tail' would have gone a long way to calming fears amongst the existing Roman populace (and their representatives) about the impact of opening up the citizenship to potentially millions more people. On the one hand, this was a wonderful political compromise. All votes in the Assembly required a simple majority of the voting tribes (the key electoral unit) which under the existing system would mean that eighteen of the thirty-five tribes constituted a majority. Furthermore, if the first eighteen tribes voted the same way then the majority was reached and the other seventeen tribes would not even get a vote.

With this reform, the Senate had agreed to increase the number of tribes to forty-five, with millions of new citizens in the bottom ten tribes (numbers thirty six to forty-five), who would be called to vote last.¹⁸ Thus a majority decision could be reached with just twenty-three tribes, all of which comprised the original Roman citizens. Therefore, whilst the Italians and Latin received equality in terms of legal process, access to benefits, residence in Rome, terms of military service and ability to stand for office, in terms of voting rights, the Senate introduced a new second class of Roman citizen without obviously advertising the fact. Thus several million Italian and Latin voters, even if they could get to Rome to vote in person, would face being outvoted by tens of thousands of original citizens and in all probability would not even be called to vote.

Whilst many in Rome may have congratulated themselves on finding a solution to the thorny issue of balancing the Italian demands for citizenship with the need for control of the Assembly and the jealousies of the original citizens, it is clear that once the dust had settled the Senate were storing up fresh problems for the future. Once the new citizens realized that their inequality was still present in the political system, at least there would be clamour for full equity and thus a further opportunity for political capital to be made by an ambitious Roman. As it happened this did not take long.

Further Reforms: Citizenship and Juries (89 BC)

It seems that the *lex Iulia* of 90 BC was the initial measure; a grand statement by a consul of Rome that Rome would offer citizenship to the allies. The following year (89 BC), came a tribunician law on citizenship which looks as if it built and expanded on the first law and provided the actual mechanics of the process for claiming Roman citizenship. The law was the so-called *lex Plautia-Papiria*, though only

M. Plautius Silvanus is firmly attested as a tribune this year: ¹⁹

‘The freedom of the city was given him in accordance with the provisions of the law of Silvanus and Carbo: “If any men had been enrolled as citizens of the confederate cities, and if, at the time that the law was passed, they had a residence in Italy, and if within sixty days they had made a return or themselves to the Praetor.” As he had now had a residence at Rome for many years, he returned himself as a citizen to the Praetor, Quintus Metellus, his most intimate friend.’²⁰

‘Then the Consuls [Tribunes] Silvanus and Carbo passed a law, that anyone who belonged to an allied people could obtain Roman citizenship, if only he was living in Italy at the time that the law was passed, and if he made an application to the Praetor within sixty days.’²¹

‘Therefore he was prosecuted under the *lex Papia*, which had been passed to detain those who falsely and illegally claimed Roman citizenship.’²²

Therefore, it seems that the tribunes and the Assembly built on the senatorial offer of citizenship at the end of the previous year, with a bill that not only added more detail to the process and the practical mechanics, but also contained clauses for those trying to falsely claim citizenship. If the original bill offered citizenship to all allies who had not rebelled, what was there to stop existing rebels claiming that they came from a town that had not rebelled? We do not know the details of the new process this bill introduced. Traditionally, citizenship enrolment was a matter for the censors (elected every five years) to oversee and although censors had recently been elected in 89 BC, given the turmoil in Italy and this new offer, they did not complete a census. Thus we are left with the question of whether there was to be a special enrolment or whether the Italians and Latins would have to wait until the next census. As it happened, fresh censors were elected in 86 BC though we are not told why; this could have been for the enrolment of the new citizens. The census totalled 463,000 citizens as opposed to 394,336 pre-war.²³ Censors were not elected again until 70 BC when the new census total was 910,000 citizens (see [Chapter Ten](#)). Unfortunately we cannot say for certain when the new citizens were enrolled, but it is difficult to imagine that they waited for nearly twenty years.

There is fragmentary evidence relating to another tribune, possibly of this year, whose actions may well have been connected to this new tribunician citizenship law. According to fragments of Sisenna, L.

Calpurnius Piso passed a law creating two new voting tribes, perhaps the first of the new proposed ten under the Iulian law. He also apparently passed a law connected to soldiers receiving Roman citizenship for bravery, again perhaps connected to the Iulian law on special grants at commanders' discretion.

We can see that a significant amount of tribunician business this year was connected to the reforms to the Roman citizenship franchise and the mechanics of how it would happen. Thus we can see a good example of co-operation between Senate and People (in the form of consuls and tribunes), with the consul of 90 BC passing the law granting citizenship to non-rebellious allies, whilst the tribunes of the following year (89 BC) worked on the practical aspects of this reform, such as how to claim citizenship, caveats against fraudulent claims and the setting up of new voting tribes. Despite this we have another major reform reported this year, and again attributed to the tribune M. Plautius Silvanus. This reform centred on the long-standing issue of jury composition:

'M. Plautius Silvanus as Tribune of the Plebs in the Consulship of Cn. Pompeius Strabo and L. Porcius Cato, in the second year of the Italian War, when the Equestrian Order held despotic power in the courts, passed a law with the aid of the nobles. This law had the effect which Cicero indicates. For in accordance with this law, it was the practice for each tribe to appoint from its own members by popular vote persons to constitute juries for that year. It resulted in Senators also being included in that number, and some persons even from the very plebs.'²⁴

Thus it seems that the Senate and People combined to propose an altogether new solution to the long running issue of jury composition. Since the tribunate of Caius Gracchus (123–122 BC) composition of juries in the most important courts (corruption, treason and extraordinary) had swung between being held by senators, or equestrians, or a mixture of both and had been a long running bone of contention and an opportunity for a reforming tribune. This new law produced a solution that benefitted neither party at the expense of the other and on the face of it took power away from both. Each voting tribe would elect a number of jurors (we are not told how many) and together they would form the core of the jurors for the year.

It is interesting that this reform was passed in this year and that the solution was linked to voting tribes, given the Iulian reforms to citizenship and the creation of up to ten new tribes. What we are not

told is whether each tribe elected the same number of jurors or whether these ten new tribes would be able to elect jurors. We must be careful not to think that this was a truly democratic measure, as it is likely that the most noted citizens within each tribe, either by wealth or status and who may well have been senators or equestrians, would have dominated these elections and thus juries would still be controlled by the Roman elites. Nevertheless, it did mean that there was no overt bias towards one section of Roman society over the other and it would make for some interesting combinations within juries. What is also unknown is how long this measure lasted given the chaos that was to follow.

Backlash: Debt, Reform and Murder (89 BC)

Aside from the military and political implications of the war in Italy, there were also serious economic consequences. Although there were flourishing trade networks in Italy (which would have been disrupted), the bulk of a person's wealth still lay in landholding, the incomes from which also secured many peoples' debts. With large swathes of Italy in the hands of the rebels, the few sources we have report economic hardship for both the Roman state and various individuals:

'For at this time the treasury was completely empty and there was not enough money to pay for corn. This lack of provision forced the public spaces around the Capitol which had been allocated to the Priests, Augurs, and Decemvirs to be sold off, raising a sufficient amount of money to help deal with this time of shortages.'²⁵

'About the same time dissensions arose in the city between debtors and creditors, since the latter exacted the money due to them with interest, although an old law distinctly forbade lending on interest and imposed a penalty upon any one doing so. But, since time had sanctioned the practice of taking interest, the creditors demanded it according to custom. The debtors, on the other hand, put off their payments on the plea of war and civil commotion. Some indeed threatened to exact the legal penalty from the interest-takers.'²⁶

The Roman state therefore took steps to alleviate its economic crisis by selling off more public land. For the indebted individuals with no such additional assets, they turned to the magistrates of the year. Unusually, they found a champion in the form of the Urban Praetor (A. Sempronius Asellio). He apparently referred all matters of debt

foreclosure to the courts, which upheld the ancient law (still in force but long ignored), banning interest on loans. Naturally enough, this decision was supported by those in debt, but opposed by the moneylenders. Unusually, their cause was taken up by one of the other tribunes of this year, L. Cassius, who seems to have enflamed the situation, which led to an outbreak of bloody violence:

‘The dismay of the creditors flared up against the life of Urban Praetor Sempronius Asellio in a manner not to be tolerated. Because he had taken up the cause of the debtors, a crowd stirred up by the Tribune of the Plebs L. Cassius forced him as he was sacrificing in front of the Temple of Concord to take flight from the very altar and out of the Forum. Then as he was hiding in a small shop, they tore him limb from limb wearing his gown of office.’²⁷

‘The Praetor Asellio, who had charge of these matters, as he was not able to compose their differences by persuasion, allowed them to proceed against each other in the courts, thus bringing the deadlock due to the conflict of law and custom before the judges. The lenders, exasperated that the now obsolete law was being revived, killed the Praetor in the following manner. He was offering sacrifice to Castor and Pollux in the Forum, with a crowd standing around as was usual at such a ceremony. In the first place somebody threw a stone at him, on which he dropped the libation-bowl and ran toward the Temple of Vesta. They then got ahead of him and prevented him from reaching the temple, and after he had fled into a tavern they cut his throat. Many of his pursuers, thinking that he had taken refuge with the Vestal Virgins, ran in there, where it was not lawful for men to go.

Thus was Asellio, while serving as Praetor, and pouring out libation, and wearing the sacred gilded vestments customary in such ceremonies, slain at the second hour of the day in the centre of the Forum, in the midst of the sacrifice. The Senate offered a reward of money to any free citizen, freedom to any slave, impunity to any accomplice, who should give testimony leading to the conviction of the murders of Asellio, but nobody gave any information. The moneylenders covered up everything.’²⁸

Thus to the list of those murdered in Roman politics (see [Appendix One](#)) was added the name of the Urban Praetor, who was murdered by a mob of moneylenders, stirred up by a tribune of the People. Unlike the murder of Livius Drusus, this was done in public and Asellio was attacked during a religious ceremony in the Forum. This murder does appear to be more unusual than the previous ones, aside from the

office holder being a praetor and not a tribune. The previous victims had all been passing high-profile and contentious measures whereas Asellio was actually working on behalf of the People and trying to alleviate debt, at least for the duration of the war. He had not passed any new legislation which cancelled debts, but simply referred cases to the courts, to enact ancient laws banning interest. To be murdered in broad daylight for such an act highlights how casual violence had become in Roman politics.

Consequences: P. Sulpicius – Exiles and Italians (88 BC)

The following year (88 BC) is a key year in Roman history, where political reform and violence escalated even further, when a political row between a tribune and the consuls led to the consuls marching their army on Rome itself and taking the city by force, in what some would describe as a coup. Yet, as the year started, there were reasons for Romans to be optimistic. The Civil War in Italy against the Italian rebels was being won, with a string of victories in 89 BC, and the tide had clearly turned in Rome's favour, with the threat to the Republic being diminished. Domestically, legislation had been passed to integrate the new citizens into the Roman citizen body, though the practicalities had yet to be completed.

However, there were several clouds on Rome's horizon. Overseas, an ambitious ruler of one of the Hellenistic kingdoms of Asia Minor (Mithridates VI of Pontus) was using Rome's distraction in their civil war to expand his empire in the region and war seemed inevitable. Domestically, there would still be the issue of the new citizens' voting rights in the Assembly to confront and the murder of the Urban Praetor had been a shocking example of the violence seemingly endemic in Roman politics. Yet many in Rome would have viewed the impending eastern war as a positive distraction, imagining a short campaign against a minor Hellenistic power with rich rewards for victory. Certainly it would have been the most prestigious command in a decade.

The elections of 89 BC had seen Q. Pompeius Rufus and L. Cornelius Sulla elected as consuls. Sulla had been a protégé of C. Marius and had distinguished himself in the Civil War in Italy. In terms of tribunes elected for 88 BC, we know of only two. The first was P. Antistius, who Cicero describes as a low-key politician and

poor speaker.²⁹ His colleague, however, was more notable: a certain P. Sulpicius, who was one the three young men who were protégés of the Crassan/Scaevolan alliance of the late 90s (see [Chapter Seven](#)) and a former ally of M. Livius Drusus. He had perhaps been scheduled to hold the tribunate in 89 BC, following Drusus (Tr. 91 BC) and Cotta (stood for 90 BC) as part of the reform programme sponsored in the first instance by Livius Drusus. Sulpicius seems to have avoided the fates that befell the rest of his colleagues, most of whom were prosecuted under the Varian Law of 90 BC. Given this political witch-hunt it is not surprising that he did not seek election that year but waited until the pendulum had swung against Varius. He seems to have stood for office representing the ideals of the former alliance he was part of and advocated the cause, not only of the new citizens, but also his former colleagues.

Sulpicius seems to have had three clear proposals in his mind for his tribunate: the recall of the political exiles (mostly his old colleagues), a limit of the amount of debt senators could amass and, most of all, the even distribution of the new citizens (and freedmen) through the existing thirty-five voting tribes. All three proposals were likely to be contentious and encounter opposition from either, or both, the Senate and the People. As is common, we don't know the order in which he presented his measures, but it is clear from the surviving narrative that the measure on the recall of exiles and senatorial debt came ahead of the citizenship bill. That Sulpicius would present a law for the recall of all Romans who had been exiled is not surprising, given that just eighteen months earlier he had seen a number of his friends and allies either convicted by the Varian Court, or choosing exile rather than face it (see above). What is perhaps surprising is the manner he went about it:

‘Sulpicius had opposed his veto to the recall of the exiles who had not been permitted to plead their cause; later he changed his mind, and proposing the same law, said he was offering a different proposal, because he had changed the name. For, he said, he was recalling not “exiles,” but “those ejected by violence” as though the dispute concerned the name by which to call those people, or as though all to whom water and fire have been formally forbidden are not called exiles. True, we perhaps excuse Sulpicius if he had a reason for doing this. Yet let us understand that it is a fault to raise a controversy on account of a change in names.’³⁰

Thus we see that Sulpicius actually used his tribunician veto

(*intercessio*) to oppose a law to recall those exiled. We are not told who proposed this law, presumably an anonymous tribunician colleague. Yet having blocked this law, he then proposed another one himself.³¹ Perhaps his issue did stem from the wording used; whilst exile was an official verdict on someone, many of these men were, at least in his eyes, the victims of a biased legal witch-hunt rather than a proper legal process. Therefore, by agreeing to bring them back from exile, it validated the original decision. The bill he proposed probably made it clear that they were illegally sent into exile and thus their recall also exonerated them. We are not told whether this measure passed, but even if it had events soon overtook it.³² The second reform was even more obscure, placing a limit on the amount of debt a senator could hold:

‘Further, though he got a law passed that no Senator should incur a debt of more than two thousand denarii’³³

As this is the only reference to the reform, we do not have any other details as to the purpose of the law. Certainly as we have seen (above), the chaos caused by the civil war in Italy was causing an economic crisis and leading to an increase in both debt and defaults. It is possible that the measure was aimed at ensuring that moneylenders could not hold undue influence over members of the Senate. Given that the moneylenders had secured the backing of a tribune the previous year (which led to the very public murder of the Urban Praetor) this was probably more a matter of making a public statement on the issue as opposed to anything else. Certainly we are not told how this law could be enforced.

Before we move onto Sulpicius’ third (and major) reform, we must mention a curious incident he and his colleagues became embroiled in. At some point during the year, a Roman politician, C. Iulius Caesar Strabo, stood for the consulship. In itself this was nothing remarkable; the problem lay in the fact that he had not yet held the praetorship, which by law was a mandatory requirement to stand as consul. Ultimately, we will never know for certain why he attempted such a bold move; perhaps it was related to the impending command of the eastern war against Mithridates. Naturally enough this move was opposed, particularly it seems by the tribunes, with at last both P. Antistius and P. Sulpicius publicly opposing him. Again, there is nothing extraordinary about this situation and Cicero duly reports that both men made speeches opposing this candidacy.³⁴ However, there is a section of Asconius which makes a bolder claim and states that the

matter descended into bloodshed:

‘but [Caesar] was so politically powerful that his quarrel with P. Sulpicius, the Tribune, was a cause of the Civil War. For Caesar both had hopes of being made Consul without holding the Praetorship and was working to that end. And although Sulpicius opposed him in the earlier stages by legal means, later when the dispute grew excessively fierce resorted to weapons and armed force.’³⁵

This is unusual to say the least, as we have no reference to this violence in our other surviving sources. It is also unusual that Caesar’s supporters would turn to force to push through such an obviously illegal claim to the consulship. It is true that rules for eligibility had been overturned in the past, notably in the cases of Scipio Aemilianus and Marius, but both men were already proven commanders and the military situation was deemed sufficiently urgent. Nevertheless, we must accept Asconius’ statement that violence broke out between the two sets of supporters and that bloodshed occurred, if only on a small scale.

It was perhaps to this violent backdrop that Sulpicius brought forward his third proposal, one which struck right at the heart of the Roman state’s political resolution of the Italian rebellion: namely the voting power of the new Roman citizens. Under the plan proposed by the *lex Iulia* of 90 BC and supported by the subsequent *lex Papiria-Plautia* (89 BC) the following year, new citizens (who numbered in the millions) would be relegated to just ten new voting tribes. This effectively meant that when it came to legislation and elections, their votes would count significantly less than those of the existing citizens (who numbered only in the hundreds of thousands) and if twenty-three of the original thirty-five tribes all voted the same way then the new citizens would not get to vote at all. Such a plan ensured that the original citizens could outvote the new ones, ensuring (as the new citizens would see it) the continued dominance of the senatorial oligarchy and guarding the privileges of the original Roman citizens.

Naturally enough, when the new citizens worked this out, the proportion of them who were planning on using their vote (which had to be in person in Rome itself) would have been aggrieved. Thus the original issue of inequality in terms of citizenship had been replaced by a new (and lesser) one, and who better to resolve this inequality than an ally of Livius Drusus? Therefore Sulpicius proposed a law that all new citizens, and any freedmen who had been granted citizenship, be evenly distributed amongst the original thirty-five tribes. Thus their

vote would count equally with that of an 'original' citizen and given their greater numbers may well have carried the majority within each voting tribe, with the obvious caveat that they would have to vote in Rome in person.

Such a move would have been opposed by large numbers from within the Senate (who had originated this solution) and from many within the People (the original citizens), though there may have been many who would see the fairness of Sulpicius' proposal and calculated that the effects would not have been as dire as some would have predicted. However, when the law was proposed the Assembly descended into violence:

'He [Sulpicius] also encouraged the new Italian citizens, who had very little power in the elections, to hope that they should be distributed among all the tribes, not in any way openly suggesting his own advantage, but with the expectation of employing them as loyal servants for all his ends. Sulpicius straightway brought forward a law for this purpose. If it were enacted Marius and Sulpicius would have everything they wanted, because the new citizens far outnumbered the old ones. The old citizens saw this and opposed the new ones with all their might. They fought each other with sticks and stones, and the evil increased continually, till the Consuls, becoming apprehensive, as the day for voting on the law drew near, proclaimed a vacation of several days, such as was customary on festal occasions, in order to postpone the voting and the danger.'³⁶

Both Appian and Plutarch (much later, imperial writers) chose to introduce C. Marius into these events, as Sulpicius' sponsor and the ultimate mastermind of the citizenship distribution plan. We know very little of the domestic activities of Marius between the death of Saturninus (100–99 BC) and the outbreak of civil war in Italy (91 BC) which is hardly surprising given our lack of surviving sources; even Plutarch's biography skips over the period. Nevertheless, given his stature and reputation for political manoeuvrings it is no surprise to find many who see his hand in all the major political events that we do know about and thus in some sources (both ancient and modern) Marius becomes Sulpicius' patron and the true mastermind of these events. That there was eventually a connection between Sulpicius and Marius is apparent from subsequent events (Sulpicius' fourth and most infamous law), but we have no way of telling when the two men became allies. Certainly Sulpicius, picking up the mantle of championing the Italian cause, fits with his role in the Crassan/

Scaevolam alliance and the programme of his friend and ally Livius Drusus, so we don't necessarily need to see the hand of Marius behind it.

Deadly Escalation: Marius, Sulla and the Mithridatic Command

Sulpicius' proposal was met with violence in the Assembly, which forced the consuls to suspend public business to defuse the situation. Plutarch, in particular, goes out of his way to paint Sulpicius as the aggressor, and in both biographies of Marius and Sulla has the following claim:

'Sulpicius himself was not a man of hesitation, but kept six hundred of the knights about him as a bodyguard, which he called his anti-senate.'³⁷

'Moreover, he maintained three thousand swordsmen, and had about him a body of young men of the Equestrian Order who were ready for everything, and whom he called his anti-Senate.'³⁸

Aside from these claims we do know that events soon escalated as Sulpicius attempted to bypass the consular suspension of political business, which led to an escalation into violence and eventually murder:

'Sulpicius would not wait for the end of the vacation, but ordered his faction to come to the Forum with concealed daggers and to do whatever the exigency might require, sparing not even the Consuls if need be. When everything was in readiness he denounced the vacations as illegal and ordered the Consuls, Cornelius Sulla and Quintus Pompeius, to put an end to them at once, in order to proceed to the enactment of the laws. A tumult arose, and those who had been armed drew their daggers and threatened to kill the Consuls, who refused to obey. Finally Pompeius escaped secretly and Sulla withdrew on the pretext of taking advice. In the meantime the son of Pompeius, who was the son-in-law of Sulla, and who was speaking his mind rather freely, was killed by the Sulpicians. Presently Sulla came on the scene and, having annulled the vacation, hurried away to Capua, where his army was stationed, as if to cross over to Asia to take command of the war against Mithridates, for he knew nothing as yet of the designs against himself.'³⁹

'To prevent voting on these, the Consuls decreed suspension of public business, as they were holding an Assembly near the Temple of

Castor and Pollux, and, amongst many others, slew also the young son of Pompeius the Consul in the forum; but Pompeius made his escape unnoticed. Sulla, however, after having been pursued into the house of Marius, was forced to come forth and rescind the decree for suspension of public business; and it was because he did this that Sulpicius, although he deposed Pompeius, did not take the Consulship away from Sulla.’⁴⁰

‘He [Sulpicius] also made an attack with armed men upon the Consuls as they were holding an Assembly, and when one of them fled from the Forum, Sulpicius seized his son and butchered him; Sulla, however, the other Consul, as he was being pursued past the house of Marius, did what no one would have expected and burst into the house. His pursuers ran past the house and therefore missed him, and it is said that Marius himself sent him off safely by another door so that he came in haste to his camp. But Sulla himself, in his Memoirs, says he did not fly for refuge to the house of Marius, but withdrew thither in order to consult with Marius about the step which Sulpicius was trying to force him to take (by surrounding him with drawn swords and driving him to the house of Marius), and that finally he went from there to the Forum and rescinded the consular decree for the suspension of public business, as Sulpicius and his party demanded.’⁴¹

Here we have an interesting selection of sources on these events. In Appian, we have an escalation of violence leading to murder, whilst Plutarch (who was in part basing his accounts on the memoirs of Sulla himself) has Sulpicius deliberately attacking the consuls and murdering the younger Pompeius Rufus. Of the two, it is Appian’s account which is the more even-handed. Sulpicius and his supporters pressed the consuls in public to rescind the suspension and allow the vote and matters escalated, as they had a tendency to do in the Assembly in this period. The two consuls, whose supporters were clearly outnumbered and probably less well armed, fled. Unfortunately Q. Pompeius Rufus, son of one consul and son-in-law to the other, decided to stay and harangue a partisan crowd, perhaps as a result of too much youthful bravado, with his elders showing more caution. He too was added to the list of Roman politicians murdered in broad daylight by his political opponents (see [Appendix One](#)).

Perhaps the most interesting fact is where Sulla fled to, or was rumoured to have fled to (as he apparently later denied it): the house of C. Marius. Here we have a number of possibilities. One possibility is

that this was down to Sulla seeking out the man who was Sulpicius' sponsor and supposedly the mastermind of this whole set of events. Another possibility is that Sulla was running from an armed (and potentially murderous) mob and sought refuge in Rome with a man whose house he knew well, his old mentor Marius. During the wars at the end of the previous decade (the Jugurthine and Northern Wars), Sulla was clearly a protégé of Marius. We do not know when, or even if, this relationship ended; certainly later sources try to portray various events in the 90s BC as showing a break between the two men, either as a dramatic tool to build up the tension between the two and the events that were to come, or due to the influence of Sulla's own autobiography on the histories of this period. Nevertheless, there is nothing to show that the two men were enemies at this point and thus Sulla may have sought refuge with his old mentor to avoid a murderous mob and discuss how to handle the situation.

What the two men discussed will never be known and remains one of the great mysteries surrounding these events. What is clear is that Marius persuaded Sulla that his best course of action was to let events in Rome calm down, and so Sulla returned to the Forum, perhaps with Marius, or an armed retinue of Marius' men accompanying him, and rescinded the suspension of public business, which would allow the vote on Sulpicius' proposal to take place. It is also clear that Marius persuaded Sulla that the safest place for him would be with his army in Capua, who were preparing to leave Italy for the eastern campaign against Mithridates.

What is also clear is that Sulla had been outmanoeuvred not only by Sulpicius, but also it seems by his old mentor. What happened next was one of the most infamous pieces of legislation in Roman history. No sooner had the ban on public business been lifted, and Sulla had left the city, then Sulpicius presented a bill transferring the command of Mithridatic campaign from Sulla to Marius.

'As the vacation was annulled and Sulla had left the city, Sulpicius enacted his law, and Marius, for whose sake it was done, was forthwith chosen commander of the war against Mithridates in place of Sulla.'⁴²

'but merely transferred the expedition against Mithridates to the command of Marius. He also sent Military Tribunes at once to Nola, who were to take over the army there and conduct it to Marius.'⁴³

'When this had been done, Sulpicius, who was now master of the situation, got the command conferred upon Marius by vote of the

People; and Marius, who was making his preparations for departure, sent out two Military Tribunes to take over the command of Sulla's army. Sulla, however, called upon his soldiers [who were no fewer than 35,000 legionaries] to resent this, and led them forth against Rome. His soldiers also fell upon the [Military] Tribunes whom Marius had sent and slew them.'⁴⁴

Whilst we know what Sulpicius did, passing a law transferring the command of the Mithridatic campaign from Sulla to Marius, we will never know for certain why he did it. For the last 2,000 years opinions have varied. On the one hand, it has been argued that this act was all part of a grand masterplan of Caius Marius to obtain one final command (he was in his late sixties by now). Another line of argument has it as an act of revenge by Sulpicius against the consuls, with Sulla stripped of his consular command and Pompeius Rufus possibly stripped of his consulship (see below). If Marius and Sulla were still allies, then it could have been simply an expedient and cunning way of splitting this alliance, by offering Marius the command Sulla held.

Another logical possibility is that Sulpicius realized that he had overstretched himself and that sooner or later the consuls would regroup and return, perhaps with the backing of the Senate's ultimate decree. Thus, he reached out to the greatest other alternate source of power and influence in Rome, C. Marius, with his prestige, political contacts and veterans. In this scenario, we can see the Mithridatic commands as a bribe or inducement to Marius to support Sulpicius' cause and prevent inevitable retaliation by the consuls.

Furthermore, Plutarch records that Sulpicius even deposed Pompeius Rufus as consul, though it is not recorded elsewhere: 'though he deposed Pompeius, did not take the Consulship away from Sulla'.⁴⁵ Whilst we have no other corroboration for this act, this would have been an extraordinary step, a tribune deposing a consul. Whilst we have seen a tribune deposing another tribune, this was achieved as the tribunes were magistrates of the plebeians, rather than an officer of the Roman state. For a tribune to remove an officially sanctioned magistrate of the Roman Republic (none other than a consul) was taking a bold but perfectly logical step. If consuls were elected by popular vote (albeit by the whole Roman People), then why could they not be removed by popular vote? Certainly, it had never been done before but then we were in a period where the Assemblies' powers of legislation were expanding into new areas every year.

Therefore, whilst this would have been unprecedented, we cannot rule it out. It is interesting to speculate whether Sulpicius had anyone in mind as a Suffect Consul and here we must consider whether Marius was being considered to be elected as a Suffect to Pompeius. Certainly, none of the surviving sources refer to the election of a Suffect, but then perhaps events moved too swiftly for an election to take place.

Nevertheless, if Pompeius was removed then this may have been what Sulpicius intended. We have to admit that we have very little to go on when it comes to the relationship between Marius and Sulpicius. Was Sulpicius nothing more than Marius' agent following his patron's masterplan or was Sulpicius himself the mastermind, determined to push his measures through at all costs, and bribing Marius to ensure his support for his schemes? Ultimately, as always, it is for the reader to decide.

The Consular March on Rome

What is clear is that neither Sulpicius nor Marius was expecting what came next. Sulla was with his army at Capua making preparations to cross to Greece, and from there head east to fight Mithridates, when news reached him that he had been replaced. This was a double blow to Sulla, as this command represented the pinnacle of his political career. He hailed from an old patrician family, but one which had not seen political success in many a generation.⁴⁶ Now at the eleventh hour, when he was preparing his army, he had been replaced (by none other than his old mentor) and at the hands of one of his political enemies.

The only previous time a command had been reassigned in this way was when Marius replaced his old commander Metellus Numidicus by tribunician law (in 107 BC) in command of the war against the Numidian King Jugurtha (see [Chapter Six](#)). However, there was one clear difference between these two events, some twenty years apart. Whilst it was perfectly legal for a tribune to pass a law in the Assembly transferring military commands, Sulpicius had used violence to get his laws passed, and the consuls had effectively been driven from the city. Therefore, there was always the question of whether such a law, passed using these methods, was legal? This must have given Sulla some hope. Yet rather return to Rome to argue the matter in the Senate, or even try to have them annul the law, he took a fateful step and saw his duty as consul and his self-interest combining to lead him to return to Rome and restore order by force, using his

army. Thus a Roman army, which had been gathered to fight a foreign foe at the edges of the empire was turned around and marched against its own home city.

Technically there had been a precedent for this, and ironically it was Marius in 100 BC, when the Senate asked him to save the city from another tribune using violence to pass laws (L. Appuleius Saturninus, see [Chapter Six](#)). On this occasion, Marius had used his soldiers to fight Saturninus' supporters in the streets of Rome. However, there were two crucial differences here. Firstly, the Senate had not instructed Sulla to do this, nor had the *senatus consultum ultimum* been passed. Secondly, there was a difference between Marius using veterans in a political street fight to marching six full legions against your own city. Nevertheless – at least in Sulla's mind and certainly in his official propaganda – he was a duly elected consul, who had been driven from the city by force and was therefore using whatever methods necessary to restore order to Rome:

‘When Sulla heard of this he resolved to decide the question by war, and called the army together to a conference. They were eager for the war against Mithridates because it promised much plunder, and they feared that Marius would enlist other soldiers instead of themselves. Sulla spoke of the indignity put upon him by Sulpicius and Marius, and while he did not openly allude to anything else (for he did not dare as yet to mention this sort of war), he urged them to be ready to obey his orders. They understood what he meant, and as they feared lest they should miss the campaign they uttered boldly what Sulla had in mind, and told him to be of good courage, and to lead them to Rome. Sulla was overjoyed and led six legions thither forthwith; but all his superior officers, except one quaestor, left him and fled to the city, because they would not submit to the idea of leading an army against their country. Envoys met him on the road and asked him why he was marching with armed forces against his country. “To deliver her from tyrants,” he replied. He gave the same answer to a second and third embassy that came to him, one after another, but he announced to them finally that the Senate and Marius and Sulpicius might meet him in the Campus Martius if they liked, and that he would do whatever might be agreed upon after consultation. As he was approaching, his colleague Pompeius came to meet and congratulate him, and to offer his whole-hearted hope, for he was delighted with the steps he was taking. As Marius and Sulpicius needed some short interval for preparation, they sent other

messengers, also in the guise of envoys from the Senate, directing him not to move his camp nearer than forty stades from the city until they could review the state of affairs. Sulla and Pompeius understood their motive perfectly and promised to comply, but as soon as the envoys withdrew they followed them.’⁴⁷

Plutarch’s version of events naturally has greater details of bloodshed and violence:

‘But Sulla succeeded in making his escape and reaching the camp first, and his soldiers, when they learned what had happened, stoned the [Military] Tribunes to death; in return for which, Marius and his partisans in the city went to slaying the friends of Sulla and plundering their property. Then there were removals and flights, some passing continually from camp to city, and others from city to camp. The Senate was not its own master, but was governed by the dictates of Marius and Sulpicius, and when it learned that Sulla was marching against the city, it sent two of the Praetors, Brutus and Servilius, to forbid his advance. These men addressed Sulla with too much boldness, whereupon his soldiers would have gladly torn them to pieces, but contented themselves with breaking their Fasces, stripping them of their Senatorial togas, insulting them in many ways, and then sending them back to the city. Here a terrible dejection was produced by the mere sight of them, stripped of their praetorial insignia, and by their announcement that the sedition could no longer be checked, but must run its course.’⁴⁸

Thus we can see that Sulla’s march met some mixed reactions. His senior officers (all noblemen) refused to accompany him on his march on Rome, all except one (who is unnamed, but L. Licinius Lucullus has been suggested).⁴⁹ Yet his fellow consul and the only man in the state with equal rank and authority (Q. Pompeius Rufus) joined him on his march. Therefore, both of Rome’s consuls were united in this course of action, further bolstering the moral and even religious sanction of the march on Rome.⁵⁰ Whilst the Senate sent envoys to the consuls, there seems to have been no move to have Sulla outlawed or declared an enemy of the state, nor did any of the other armies in Italy make a move to intervene, though given the time factor this may not have been possible. There must have been many in the Senate appalled at the violence used by Sulpicius and not averse to order being restored. Whether they actually believed Sulla would march his army into the city is another matter and there must have been many who hoped he was bluffing or hoping that a show of force would force Marius and

Sulpicius to back down.

However, not only did it seem that bluffing was not in Sulla's nature, but Sulpicius' supporters had murdered Pompeius Rufus' son (and Sulla's son-in-law), possibly stripped Pompeius of his consulship (a matter of dubious legality) and stripped Sulla of his command. Clearly neither consul was in the mood for compromise, an attitude which rather sums up this period of Roman politics. With their minds set, the consuls attacked Rome with the efficiency of any Rome army attacking an enemy city, albeit one totally unprepared for an assault:

'Sulla took possession of the Esquiline gate and of the adjoining wall with one legion of soldiers, and Pompeius occupied the Colline gate with another. A third advanced to the wooden bridge, and a fourth remained on guard in front of the walls. With the remainder Sulla entered the city, in appearance and in fact an enemy. Those in the neighbouring houses tried to keep him off by hurling missiles from the roofs until he threatened to burn the houses; then they desisted. Marius and Sulpicius went, with some forces they had hastily armed, to meet the invaders near the Esquiline forum, and here a battle took place between the contending parties, the first regularly fought in Rome with bugle and standards in full military fashion, no longer like a mere faction fight. To such extremity of evil had the recklessness of party strife progressed among them.

Sulla's forces were beginning to waver when Sulla seized a standard and exposed himself to danger in the foremost ranks, so that from regard for their general and fear of ignominy, should they abandon their standard, they might rally at once. Then he ordered up the fresh troops from his camp and sent others around by the Suburran road to take the enemy in the rear. The Marians fought feebly against these newcomers, and as they feared lest they should be surrounded they called to their aid the other citizens who were still fighting from the houses, and proclaimed freedom to slaves who would share their dangers. As nobody came forward they fell into utter despair and fled at once out of the city, together with those of the nobility who had cooperated with them.⁵¹

Clearly, Marius and Sulpicius had little time to muster any resistance. Ironically, they seem to have retreated to the Capitol, much as Saturninus and his supporters had when they were attacked by Marius' soldiers in 100 BC. According to Orosius, Sulla's forces stormed the Capitol, forcing Marius and Sulpicius to flee:

'He [Marius] did not dare resist Sulla though, and fell back to the

Capitol. But when Sulla's troops forced their way in there, after his supporters had suffered heavy losses, he fled.'⁵²

Thus, once again, Rome had seen a political reform programme end in violence and bloodshed. Yet this was an exceptional escalation of events. In the previous fifty years there had been three previous outbreaks of mass violence and bloodshed in Rome (133, 121 and 100 BC). Yet this occasion saw the consuls deploying a full Roman army of six legions to attack the city and defeat their political opponents, all done on their own authority and in the name of the Republic. We are not told the death toll from this battle, but it must have run to the hundreds at least. It ended with Marius and Sulpicius and their prominent supporters fleeing Rome and the consuls once more in charge of the city.

The Sullan–Pompeian Reforms of the Roman Republic (88 BC)

The consuls followed one unprecedented act, marching an army on their own city, with another, by using their control of the city to pass a number of constitutional reforms, which they clearly hoped would end this cycle of political violence and restore stability to the Republic. What was proposed was a mixture of short-term measures and long-term constitutional reforms. In the short term, the consuls called the Senate together and had them pass a decree declaring Marius, Sulpicius and another ten of their key supporters as enemies of the state, who could be executed without trial:

‘This time Sulpicius, who still held the office of Tribune, together with Marius, who had been Consul six times, and his son Marius, also Publius Cethegus, Iunius Brutus, Cnaeus and Quintus Granius, Publius Albinovanus, Marcus Laetorius, and others with them, about twelve in number, had been exiled from Rome, because they had stirred up the sedition, had borne arms against the Consuls, had incited slaves to insurrection, and had been voted enemies of the Roman People; and anybody meeting them had been authorized to kill them with impunity or to drag them before the Consuls, while their goods had been confiscated.’⁵³

Thus twelve influential Roman politicians including a six-time consul and at least one serving Tribune were declared enemies of the Roman state. As it happens, all had fled the city when it fell to the consuls. Yet, not content with this outlawing them, it seems that the consuls

dispatched cavalry to track down both Sulpicius and Marius, both of whom were soon located:

‘Sulpicius was overtaken by horsemen and slain in the Laurentine marshes, and his head was raised aloft and exhibited on the front of the rostra as a presage of the impending proscription. Marius, who had held six Consulships and was now more than seventy years of age, was dragged, naked and covered with mud, his eyes and nostrils alone showing above the water, from a reed bed near the marsh of Marica, where he had taken refuge when pursued by the cavalry of Sulla. A rope was cast about his neck and he was led to the prison of Minturnae on the order of its duumvir.’⁵⁴

Both Marius and Sulpicius were captured, with Sulpicius being executed immediately,⁵⁵ which meant that yet another serving tribune met with his death following a political clash. Marius was saved apparently by his status as a hero of Rome and was able to escape, fleeing his captors and escaping across Italy and into North Africa with a daring that defied his age (69). Certainly Plutarch’s biography goes into some detail of Marius’ escape with a dramatic flourish.⁵⁶ Marius and a number of the other twelve sought refuge in the Kingdom of Numidia, which was an old ally of his from the Jugurthine War, some twenty years earlier. With their opponents exiled and most likely with the army still stationed in the city, the consuls called the Assembly and introduced their programme of constitutional reform, centred on greater senatorial control of legislation:

‘At daybreak they summoned the People to an Assembly and lamented the condition of the Republic, which had been so long given over to demagogues, and said that they had done what they had done as a matter of necessity. They proposed that no question should ever again be brought before the People which had not been previously considered by the Senate, an ancient practice which had been abandoned long ago; also that the voting should not be by tribes, but by centuries, as King Servius Tullius had ordained. They thought that by these two measures; namely, that no law should be brought before the people unless it had been previously before the Senate, and that the voting should be controlled by the well to do and sober-minded rather than by the poorer and reckless classes, there would no longer be left any starting-point for civil discord. They proposed many other measures for curtailing the power of the Tribunes, which had become extremely tyrannical, and enrolled three hundred of the best citizens

at once in the list of the Senators, who had been reduced at that time to a very small number and had fallen into contempt for that reason. They also annulled all the acts performed by Sulpicius after the suspension had been proclaimed by the Consuls, as being illegal.’⁵⁷

We can see that there were a number of measures in this programme. We don’t hear of any opposition to these proposals, either from the people or the remaining tribunes, but given the presence of the army in the city this is hardly surprising. Thus the consuls passed through a major programme of constitutional reforms thanks to the Roman army occupying the city itself.

The first of these measures was a short-term one: overturning all of Sulpicius’ legislation, which crucially restored Pompeius to his consulship and Sulla to his Mithridatic command. Next came two laws which introduced limits on tribunician legislation: namely that all bills must be approved by the Senate first before being proposed to the People, and that the People must vote in the *Comitia Centuriata*, an older and lesser-used Assembly of the People. Here voting was done by centuries not tribes, a different ordering of the people weighted more in favour of the richer citizens. Traditionally, the *Comitia* was used to elect praetors and consuls but rarely for legislation due to its more cumbersome organization. Both measures seem to have been re-enactments of ancient Republican practices which had long since been abandoned. They did, however, allow the consuls to create the narrative of restoring the Republic to its traditional form (harking back to the mythical ‘golden age’) rather than being seen as introducing radical new reforms themselves.

We are not given any details about what limitations they placed on the tribunate, though when Sulla enacted his reform programme in 81–80 BC they included a ban on tribunes being allowed to stand for further political office and a limitation on when they could use their power of veto (*ius intercessio*, see [Chapter Nine](#)). Again both of these measures seem to have been a re-enactment of ancient practices, when the Plebeian order was separate from the Roman state (see [Chapter One](#)). Thus the consuls must have hoped that they had effectively muzzled both the tribunate and the Assembly, restoring control of the Republic back to the Senate.

The next measure they passed was a familiar one: adding 300 men to the Senate. Appian states that the Senate had been depleted,⁵⁸ but this must refer to the position in 81 BC rather than 88 BC. The consuls had exiled no more than twelve men and there are no reports of

senatorial casualties in the fighting. This measure does, however, bear a startling resemblance to the proposal of Livius Drusus in 91 BC, namely that the Senate be expanded to 600 men, by the addition of 300 equestrians (see [Chapter Seven](#)). We do not know if the consuls resurrected Drusus' plan, but it does seem unlikely. In any event, it is unlikely that this measure was ever enacted.

Outside of Appian, we do have two other references to measures the consuls may have passed in this period. The *Periochae* of Livy refers to colonies being established, but provides no further details, nor even if they were ever created.⁵⁹ There is also a reference in Festus to the consuls passing a measure concerning interest on debts, which brings to mind the economic issues that were being dealt with by the praetor Asellio in 89 BC before his murder (see above).⁶⁰

The Crumbling of the Sullan–Pompeian Settlement

With these measures passed, the consuls turned to the future and tried to secure both their own positions and the reforms they had enacted. Naturally, sooner rather than later the consuls would have had to evacuate their army from the city, which would mean that both the Senate and People would be able to act without the immediate threat of military force. In the short term, Sulla, having been restored to the Mithridatic command, would have to leave Italy and take his army to the East. We do not know how much time elapsed between the consuls storming Rome and the elections for 87 BC, but in that time Mithridates had invaded the Roman province of Asia, massacred the Roman inhabitants and was planning on invading Greece.

With Sulla and his army out of Italy, the task of keeping the peace fell to the other consul, Q. Pompeius Rufus. He had been assigned command in Italy, against the remaining pockets of Italian rebels, and so would have been able to take charge of the Roman army in Italy, currently led by the consul of 89 BC (Cn. Pompeius Strabo, father of Cn. Pompeius Magnus). This would ensure that the two consuls both had large armies, one in Italy and one in the East.

Prior to them leaving to take up their commands though, the consuls needed to secure their reforms, and thus needed to secure the election of friendly candidates to the consulship and the tribunate. For the consulship, they chose a Servius (possibly P. Servilius Vatia)⁶¹ and for the praetorship Sulla's own nephew, Sex. Nonius Sufenas, but both were defeated in the elections. The two men elected were L. Cornelius

Cinna and Cn. Octavius and neither was a known adherent of the two outgoing consuls. The best that Sulla and Pompeius could achieve was to extract an oath from both men that they would not overturn the Sullan–Pompeian constitutional settlement.⁶² In terms of the tribunate, they were apparently successful in barring Q. Sertorius from standing as tribune and given that six tribunes fled the city the following year, it appears that they did at least ensure that a number of the tribunes for 87 BC would be loyal to their cause.

Yet for all these precautions, the Sullan–Pompeian reforms were built on sand. They had only been passed by virtue of the Roman army occupying the city, without which they could soon be overturned. Furthermore, these laws had been passed following the army's attack on Rome itself, which meant that they too could be overturned, as Sulpicius' laws were, on account of force being used to pass them. Finally, there was the example the two men had set. The army was now a legitimate force to be used in political clashes, as long as someone could muster an argument that they were restoring peace and that their enemies were enemies of the Republic.

It was not long before the legacy of the consuls' decision to use the army saw fruition and led to the death of one of the consuls themselves. Prior to the end of the year, Q. Pompeius Rufus left Rome to take up command of the largest Roman army in Italy. Unfortunately for him the incumbent commander, Cn. Pompeius Strabo, saw an opportunity to remain in command in these troubled times and when Pompeius Rufus turned up in his camp, he had him murdered. Thus a Roman consul had been murdered by a Roman army on the orders of its commander. With little recourse other than plunging Rome into a deeper civil war by having two Roman armies attacking each other in Italy, Sulla had no choice but to let the matter drop and left Rome to take up his own command in the East. He clearly left behind a Rome facing a number of unresolved issues: the exiled Marians in North Africa, Pompeius Strabo in Italy, the People wanting to overturn the Sullan–Pompeian reforms and the Italians wanting full voting rights, not to mention the terrible example of marching an army on Rome itself.

Summary

We can see that it was during 88 BC that violence in Roman politics escalated to another level. Previously, we had seen Roman politicians murdered (133 BC), executed with state approval (121 BC), and a

consul using soldiers on the streets of Rome (100 BC). This year saw a further evolution of violence, with both consuls marching their army on Rome and taking the city by force (and surprise) to regain control of the Assembly and the legislative process. This military occupation of the city had been used to pass fundamental constitutional reforms, yet with no accompanying mechanism to safeguard them. However, whereas in 121 and 100 BC the consuls had been authorized to use force, on this occasion the consuls used force on their own volition, meaning that it would need to be retrospectively authorized, which could only happen with control or influence of the chief organs of the Republic. Previously, enemies of the state had been defined by the Senate (rightly or wrongly); now it was being defined by the individuals involved.

Yet, despite all this, the situation had the potential to deteriorate further. The consuls marched their army on an ill-defended city with a one-sided confrontation, which resulted in only one death. No other Roman army had time to intervene, or did so afterwards. When the consul Pompeius Rufus was murdered by pro-consul Pompeius Strabo's army, a major escalation into full civil war must have been a possibility. Nevertheless, Sulla and Pompeius' actions had further blurred the lines between the twin roles of the Roman noblemen and shown that the Roman army was now a legitimate and successful method for resolving political clashes and pushing through political reform.

Chapter Nine

Political Reform and Political Slaughter (87–79 BC)

Political Reform and the Civil War of 87 BC

Given the tumultuous events of the previous year, the majority of Romans must have been hoping that the New Year would bring some calm to Roman politics and a chance for the Republic to recover; unfortunately it was not to be. Despite the consuls' (Sulla and Pompeius Rufus) best efforts to rig the elections for 87 BC in their favour, there were a number of new tribunes and at least one new consul who were not sympathetic to their aims. The first move was a symbolic one, when early in the year one of the new tribunes (M. Vergilius/Virginius)¹ launched a prosecution (in absentia) of Sulla for his actions as consul in the previous year, though we have no detail as to the exact charge:

‘His brother, M. Vergilius, who when he was a Tribune of the People commenced a prosecution against the general L. Sulla’²

‘and had an impeachment prepared against Sulla, and appointed Virginius, a Tribune of the People, to be his accuser.’³

This prosecution seems to have been more symbolic than anything else, given Sulla's absence with his army, but it did set the tone for events that were to follow. We are not told if any of the pro-Sullan tribunes vetoed this action, but in any event Sulla, even if he was informed of the prosecution, unsurprisingly did not return to Rome to face the charges and we hear of no further actions taken in the face of this refusal to return.

The Reforms of L. Cornelius Cinna

It was not from the tribunes of the year that the next wave of reform proposals (and accompanying bloodshed) came, but from one of the consuls, L. Cornelius Cinna. We know little of Cinna prior to his election as consul for 87 BC. We know that he hailed from a patrician background and his family was part of the Gens Cornelia (as was Sulla's, ironically). We can find a L. Cornelius Cinna as consul in 127 BC, possibly his father, but there is no trace of the family holding

office prior to that. This particular Cinna left little trace on Roman politics prior to becoming consul; we are not aware when he held the praetorship and he is first mentioned in the surviving sources in 89 BC, serving as a legate in the civil war against the Italian rebels, probably under Cn. Pompeius Strabo.⁴ Thus we are deprived of any background context to one of the key figures of the civil war period. As consul he proposed two reforms, both linked to the events of 88 BC; namely the even distribution of new citizens throughout all the voting tribes and the recall of exiles:

‘Cinna, Sulla’s successor in the Consulship, excited the new citizens in favour of the scheme of Marius, that they should be distributed among all the old tribes, so that they should not be powerless by reason of voting last. This was preliminary to the recall of Marius and his allies.’⁵

‘Cinna, who belonged to Marius’ party, passed a law to the effect that new citizens, upon receiving Roman citizenship for any reason, should be able to vote amongst the old citizens, with no distinction. He did this to gain the favour of the men who had raised Marius to power by their votes and had granted him the greatest honours.’⁶

Thus one of Rome’s consuls presented the exact same proposals as Sulpicius, which had led to the tumult and subsequent bloodshed of the previous year, with two notable caveats. Firstly, a recall of exiles would include C. Marius and his ten surviving colleagues, and secondly, the proposals of 88 BC were made by a tribune whereas these were being proposed by one of Rome’s consuls, raising the stakes in terms of gravitas and expectations. Critically, we don’t know why he did this. Anyone would have been able to see that resurrecting the citizen distribution issue would lead to violence again, just at a time when most in Rome would have been hoping for a period of calm.

Given the lack of background, we do not know if Cinna was a friend or ally of either P. Sulpicius or C. Marius. Many would have been pushing for the peaceful recall of Marius and his allies, to undo the legacy of Sulla and Pompeius’ actions and prevent further bloodshed, but the Italian proposal was an inflammatory one. Thus we can see that once again, compromise was sorely lacking in the Roman political system and on this occasion plunged Rome into its worst ever period of bloodshed to date.

The Civil War of 87 BC

Naturally enough, when Cinna presented the bill for full distribution of new citizens to the Assembly he was met with opposition, from the Senate, the People and – crucially – his own colleague (Cn. Octavius). Given the events of the previous fifty years, it was of no surprise to anyone that opposition led to violence and bloodshed on the streets of Rome once more:

‘Although the old citizens resisted with all their might, Cinna co-operated with the new ones, the story being that he had been bribed with three hundred talents to do this. The other Consul, Octavius, sided with the old citizens. The partisans of Cinna took possession of the Forum with concealed daggers, and with loud cries demanded that they should be distributed among all the tribes. The more reputable part of the Plebeians adhered to Octavius, and they also carried daggers.

While Octavius was still at home awaiting the result, the news was brought to him that the majority of the Tribunes had vetoed the proposed action, but that the new citizens had started a riot, drawn their daggers on the street, and assaulted the opposing Tribunes on the Rostra. When Octavius heard this he ran down through the Via Sacra with a very dense mass of men, burst into the Forum like a torrent, pushed through the midst of the crowd, and separated them. He struck terror into them, went on to the Temple of Castor and Pollux, and drove Cinna away; while his companions fell upon the new citizens without orders, killed many of them, put the rest to flight, and pursued them to the city gates.’⁷

Thus the proposal made to the Assembly was vetoed down by a majority of the tribunes, as was their right. Under the unwritten Roman constitution this should have been an end to the matter. Yet, once again, the supporters of the proposals took the expedient method of attacking the vetoing tribunes, in order to drive them from the Assembly and hence remove the veto. In retaliation, the consul Octavius led a force of men to the Forum and attacked the men harassing the tribunes, killing many and forcing his consular colleague to flee. In terms of the evolution of political violence, this was a far worse situation than 88 BC. In the previous year, the consuls had been united against a tribune, a pattern that had been seen for many a decade in Roman politics. On this occasion though, the two consuls were at the heart of the dispute, each taking an opposing side and supported by a different section of the People (new citizens versus old). Thus Rome’s chief magistrates were not only divided, but

actively leading the violence and destroying the collegiality that lay at the heart of the Rome's ruling order.

Again, as we have seen throughout this period, the men involved chose to escalate the situation rather than seek a compromise for the common good. Cinna fled the city, apparently after calling for the slaves of Rome to rise up and support him. Whether he did or not will never be known; it was certainly the charge laid against him and one that must have been circulating at the time. Cinna then apparently toured the newly enfranchised towns in an attempt to gain support from the newly enfranchised citizens who stood to lose out from the blocking of his citizen distribution bill:

‘As none responded he hastened to the towns nearby, which had lately been admitted to Roman citizenship, Tibur, Praeneste, and the rest as far as Nola, inciting them all to revolution and collecting money for the purposes of war. While Cinna was making these preparations and plan certain Senators of his party joined him, among them Caius Milo, Quintus Sertorius, and Caius Marius the younger.’⁸

Octavius and the Senate responded in an equally extraordinary manner:

‘The Senate decreed that since Cinna had left the city in danger while holding the office of Consul, and had offered freedom to the slaves, he should no longer be Consul, or even a citizen, and elected in his stead Lucius Merula, the priest of Jupiter.’⁹

Thus a duly elected and consecrated consul of Rome had been deprived of his office and even his citizenship by a senatorial decree, making the second year in a row that a consul had been removed (see [Chapter Eight](#)). Once again we can see the excesses that both sides were pushed to when refusing to compromise. It was not only the act that was excessive, but the obvious possible consequences it could lead to. Only the previous year, when a consul (Sulla) was deprived of his command and his *dignitas*, he turned to the army. Clearly there was a strong possibility that the same could happen on this occasion. Cinna, seeing no way back through political means, did just that:

‘Cinna proceeded to Capua, where there was another Roman army, whose officers together with the Senators who were present, he tried to win over. He went to meet them as Consul in an Assembly, where he laid down the fasces as though he were a private citizen, and shedding tears, said, “From you, citizens, I received this authority. The People voted it to me; the Senate has taken it away from me without your consent. Although I am the sufferer by this wrong I grieve amid

my own troubles equally for your sakes. What need is there that we should solicit the favour of the tribes in the elections hereafter? What need have we of you? Where will after this be your power in the Assemblies, in the elections, in the choice of Consuls, if you fail to confirm what you bestow, and whenever you give your decision fail to secure it.”

He said this to stir them up, and after exciting much pity for himself he rent his garments, leaped down from the rostra, and threw himself on the ground before them, where he lay a long time. Entirely overcome they raised him up; they restored him to the Curule chair; they lifted up the fasces and bade him be of good cheer, as he was consul still, and lead them wherever he would. The [Military] Tribunes, striking while the iron was hot, themselves took the military oath to support Cinna, and administered it each to the soldiers under him. Now that this was all secure, Cinna traversed the allied cities and stirred them up also, alleging that it was on their account chiefly that this misfortune had happened to him. They furnished him both money and soldiers; and many others, even of the aristocratic party in Rome, to whom the stability of the government was irksome, came and joined him.’¹⁰

‘Cinna was then received by the army at Nola, after corrupting first the centurions and tribunes and then even the private soldiers with promises of largesse. When they all had sworn allegiance to him, while still retaining the insignia of the Consulate he waged war upon his country, relying upon the enormous number of new citizens, from whom he had levied more than three hundred cohorts, thus raising the number of his troops to the equivalent of thirty legions. But his party lacked the backing of strong men; to remedy this defect he recalled Caius Marius and his son from exile, and also those who had been banished with them.’¹¹

Thus Cinna procured the loyalty of a Roman army thanks to his role as a wronged consul, exactly as Sulla had the year before, bolstered on this occasion by contingents of the newly enfranchised allies. For the second time in two years a Roman consul marched against Rome at the head of a Roman army, starkly demonstrating the failure of the Roman political system. This was a far greater event than the previous year. Sulla and Pompeius had quickly marched a Roman army onto the streets to restore order (at least in their version of events), more in the manner of a policing action. On this occasion, both sides made preparation for full-scale war, with a siege of Rome being

contemplated by a Roman consul. The events of the two years became further entangled by the return of C. Marius from North Africa, who saw the perfect opportunity to overturn the Sullan–Pompeian settlement and restore himself to power.

The details of the subsequent campaigns fall outside the remit of this work and have been covered elsewhere.¹² Between them Cinna and Marius had the superior numbers and the tactical advantage, whereas their opponents fought a defensive campaign, defending the city itself and could find few willing to support them, surprising though this may seem. Sulla and his forces were in Greece fighting Mithridates, whilst the only other large forces in Italy were those still fighting the last of the Italian rebels, principally commanded by Cn. Pompeius Strabo, with a smaller force under Q. Caecilius Metellus Pius.

Given the history between Metellus and Marius, it is not surprising that he supported Octavius and the Senate, but his force was not a large one. Pompeius Strabo on the other hand had been notable by his late role in the events of 88 BC, when he had the consul Q. Pompeius Rufus murdered rather than surrender command of his army to him (see [Chapter Eight](#)). Strabo stayed true to form and opened up negotiations with both sides, eventually choosing to nominally support Octavius and the Senate, but he died of a plague that swept through the defending forces (and/or a lightning strike).¹³

It seems that with few Roman forces to fall back on, Octavius and the Senate tried to mobilize the Italians. The Periochae of Livy has the following note: ‘citizenship was given to the Italian nations by the Senate.’¹⁴ This is a curious entry given the timing and the fact that citizenship had been granted already with laws in 90 and 89 BC. We can only assume that the Senate and Octavius passed a decree offering citizenship to all Italians, if they would support the Senate; the previous laws were restricted to those who had not rebelled against Rome. With all bar the Samnites defeated or surrendered, this offer seems to have been a last desperate call to rally forces to Rome. Given that Octavius and the Senate had just blocked the full distribution of new citizens and exiled its sponsor, this seems a case of too little, too late. The Periochae also reports that the only Italian forces who mobilized were the Samnites, who had not been defeated and who supported Cinna and Marius.

The Bloodshed of 87 BC

Given the superior numbers, tactical position and unified command, Cinna and Marius laid siege to Rome and then took it by force. What followed became one of the most infamous massacres in Roman history. When Sulla and Pompeius took Rome by force in 88 BC, they isolated twelve key opponents and had them outlawed, driving them into exile, but only one (P. Sulpicius) was actually killed. Though of dubious legality, it was at least proportional. When Marius and Cinna took Rome by force in 87 BC, the bloodshed was of a different magnitude, more akin to a foreign army capturing a city by siege and was focussed on wiping out all of their political opponents in one go:

‘When all Octavius’ troops had been dislodged from the Janiculum, immediately, at a given signal, they wreaked their fury in the slaughter of the leading citizens with even greater cruelty than even in a Carthaginian city. The head of the Consul Octavius was displayed on the Rostra, that of Antonius, an ex-Consul, on Marius’ own table. Caesar and Fimbria were butchered at the household shrines of their own homes. The elder and younger Crassus were slain in the sight of one another. Baebius and Numitorius were dragged through the Forum on the hooks of the executioners. Catulus saved himself from the insults of his enemies by swallowing fire. Merula, the priest of Jupiter in the Capitol, bespattered the visage of the god himself with the blood from his veins. Ancharius was stabbed in the presence of Marius himself, because, forsooth, when he saluted him, Marius had not stretched out to him the hand which was to decide his fate. All these deaths of Senators were the result of Marius’ seventh Consulship between the 1st and the 9th of January.’¹⁵

‘Now the victors sent out spies to search for their enemies of the Senatorial and Equestrian Orders. When any knights were killed no further attention was paid to them, but all the heads of Senators were exposed in front of the Rostra. Neither reverence for the gods, nor the indignation of men, nor the fear of odium for their acts existed any longer among them. After committing savage deeds they turned to godless sights. They killed remorselessly and severed the necks of men already dead, and they paraded these horrors before the public eye, either to inspire fear and terror, or for a godless spectacle.

The brothers Caius Iulius [Caesar] and Lucius Iulius [Caesar], Atilius Serranus, Publius Lentulus, Caius Nemetorius, and Marcus Baebius were arrested in the street and killed. Crassus was pursued with his son. He anticipated the pursuers by killing his son, but was himself killed by them.

All Sulla's friends were put to death, his house was razed to the ground, his property confiscated, and himself voted a public enemy. Search was made for his wife and children, but they escaped. Altogether nothing was wanted to complete these wide-spread miseries.'¹⁶

Thus with one period of bloodshed, Marius and Cinna wiped out the ruling elites who opposed them. Both consuls were dead – Octavius by murder and Merula by suicide – along with a number of ex-consuls (see [Appendix One](#) for the full list). Other notable victims included P. Licinius Crassus and his son (father and elder brother of the triumvir) and the two Iulii Caesares brothers (cousins of the triumvir and dictator). The only opposition commander to escape was Q. Caecilius Metellus Pius, who was not in Rome when it fell, escaping to North Africa and eventually joining Sulla in the East.

The Marian–Cinnan Settlement of 87–86 BC

With military command of Rome, a huge standing army and the deaths of their enemies, Marius and Cinna now controlled the Roman Republic and the western part of the empire (the east being split between Sulla and Mithridates).¹⁷ What remained of the Senate was composed solely of their allies or men who could be trusted to follow their survival instincts and the commands of the new regime. The Assembly could be safely intimidated into following the wishes of Rome's two leaders and any opposing magistrates would be purged. Appian records the following:

'There were banishments, and confiscations of property, and depositions from office, and a repeal of the laws enacted during Sulla's Consulship.'¹⁸

The new regime immediately cemented their position by declaring themselves consuls for 86 BC without the need for an election and the whole of the Sullan–Pompeian settlement of 88 BC was repealed. This meant that neither Marius nor Cinna were 'enemies of the state', and the political reforms to the Assembly and tribunate were no longer valid. Furthermore, Marius was now officially the commander of the campaign against Mithridates, with Sulla not only being stripped of the command, but being declared an enemy of the state himself (despite leading a Roman army in a war against a foreign invader).

Thus, constitutionally, the Republic was restored to the position it had been in at the beginning of 88 BC, but in reality it was now a military dictatorship with two masters, C. Marius and L. Cornelius

Cinna. Within a month of 86 BC those two became one, when C. Marius died of natural causes, being of an advanced age and having had an incredibly strenuous previous eighteen months. In his place, Cinna chose L. Valerius Flaccus (whose brother commanded Spain and whose cousin was a senior senator) despite the fact that he was also a patrician, which meant that Rome had two patrician consuls for the first time in nearly 300 years. Unsurprisingly, we hear of no objections being raised to this violation of the Roman law. Flaccus was also appointed to succeed Marius in the Mithridatic command, with Cinna staying in Rome to oversee the new regime.

Political Reform and the Cinnan Republic 86–82 BC

Whilst civil war continued to rage in the eastern empire during the years 86–83 BC, Italy remained peaceful and under the military control of the consuls. The Italian rebellions had been ended either by force or negotiation and the regime in Rome was seen as more friendly to the aspirations of the new citizens than ever before. That being the case, the Cinnan regime turned its attention to two key areas of reforms: introducing financial stability and the mechanics of integrating the new citizens.

In many ways, however, this short period of the Republic was a unique one in terms of the atmosphere that domestic politics were being conducted under. All elements of the Republic were under the control of one man, however covertly, with the ever-present threat of military force. Thus, Cinna became the first de-facto Tyrant of Rome.¹⁹ There were no open elections for the consulship, with Cinna either being elected or selected for the consulship of 86, 85 and 84 BC. His colleague in 86 BC was initially C. Marius, with L. Valerius Flaccus being chosen in his place after Marius' death. With Flaccus fighting in the east up until his death (in 85 BC), for 85 and 84 BC Cinna chose Cn. Papirius Carbo as his consular colleague. We must also imagine that all other magistrates were carefully vetted before being allowed to stand for election. The Senate had been purged and the People would have been well aware of the danger of the army being deployed in Rome once more, though there is no evidence for units being deployed in Rome itself in this period. In many ways therefore this short period was a forerunner of the Republic under the Principate.

This did not mean an end to the political bloodshed, as the year

opened with continued settling of scores. Most notable were the actions of one of the new tribunes, P. Popillius Laenas, who murdered one of his predecessors (Sex. Lucilius/Licinius, tribune of 87 BC) by hurling him from the Tarpeian Rock (the traditional method of execution for traitors):

‘In the same year Publius Laenas, tribune of the people, threw Sextus Lucilius, Tribune of the previous year, from the Tarpeian rock. When his colleagues, whom he also indicted, fled in fear to Sulla, he had a decree of banishment passed against them.’²⁰

Though Dio preserves a variant tradition:

‘While the Romans were offering the usual sacrifice at the beginning of the new year and making their vows for their magistrates according to ancestral rites, the son of Marius slew a Tribune with his own hands and sent his head to the Consuls, hurled another from the Capitol; a fate which had never befallen such an official, and forbade two Praetors the use of fire and water.’²¹

We can see that at least two of the tribunes of 87 BC were murdered, if not three, and a number of other former tribunes and praetors, who had managed to survive the initial slaughter of 87 BC were indicted and either exiled or fled to Sulla. However, after this early purge we hear of no others this year, but then there can have been few Sullan sympathizers left in Rome, after the events of 87 BC. Given the turmoil of five years of civil war in Italy, it is not a surprise to hear that Rome’s economy was in a poor state. The first piece of legislation in this period we hear of, was a law proposed by Cinna’s consul (Valerius Flaccus) and concerned debt relief:

‘In his place was chosen as Consul suffectus Valerius Flaccus, the author of a most disgraceful law, by which he had ordained that one-fourth only of a debt should be paid to the creditors, an act for which a well-deserved punishment overtook him within two years.’²²

It is perhaps telling that it was Flaccus who proposed it rather than either a tribune or even Cinna himself. Cinna clearly wished to avoid looking like a tyrant or dictator (in the modern sense) and perhaps also wished to deflect any criticism (which Velleius himself reports)²³ onto a junior partner, who would soon be leaving Rome for the east. Whilst the law would have brought relief for those in debt, it would have merely increased the burden on the lenders and further damaged the integrity of Rome’s banking and debt systems.

This law seems to have been built on during the following year (85

BC) when one of the praetors proposed (and passed) a law on coinage reform. Interestingly, the man in question was M. Marius Gratidianus, a nephew of now deceased Marius. Even more interestingly is the story behind the reform:

‘In his Praetorship, the Tribunes of the People summoned the college of Praetors to council, in order to adopt by joint resolution a standard of value for our currency; for at that time the value of money was so fluctuating that no one could tell how much he was worth. In joint session they drafted an ordinance, defining the penalty and the method of procedure in cases of violation of the ordinance, and agreed that they should all appear together upon the rostra in the afternoon to publish it. And while all the rest withdrew, some in one direction, some in another, Marius (Gratidianus) went straight from the council chamber to the Rostra and published individually what had been drawn up by all together. And that coup, if you care to know, brought him vast honour; in every street statues of him were erected; before these incense and candles burned. In a word, no one ever enjoyed greater popularity with the masses.’²⁴

Gratidianus therefore apparently double-crossed his colleagues and published a joint bill as his own.²⁵ Aside from this duplicity it is a wonderful insight into the inner working of legislative bills, with both colleges (of tribunes and praetors) meeting and drafting an important bill together. Given the unique circumstances of this period of the Republic we cannot tell whether this was a new way of working, but it does show a higher degree of cooperation between colleagues than had been seen in the previous fifty years, again perhaps reflecting the benefit of having magisterial candidates vetted prior to election.

Aside from measures to alleviate the economic crisis Rome was suffering, the main issue of political reform was the integration of the newly enfranchised citizens throughout Rome’s thirty-five voting tribes. Given the impact that this issue had in the previous two years (88 and 87 BC), being at the heart of the ensuing violence and use of military force, it is not surprising to see that the Cinna regime broke with tradition and appointed a fresh pair of censors (only three years after the previous censorship). The censors in question were L. Marcius Philippus (Cos. 91 BC) and M. Perperna (Cos. 92 BC), both senior senators. Philippus was perhaps an interesting choice given his opposition in 91 BC to M. Livius Drusus’ Italian citizenship bill (see [Chapter Seven](#)). However, given that he had survived the slaughter of 87 BC, he must have impressed Cinna and Marius with his support for

them and their policies.

What is more surprising is that this censorship did not apparently succeed in enrolling the new citizens as was its remit. We have only a few scattered references to this censorship, but one of them records 463,000 citizens,²⁶ only slightly higher than the 394,336 pre-war,²⁷ but far below the 910,000 recorded in 70 BC. Given the prominence of the issue this is surprising and to date has not been adequately explained given the absence of any detailed surviving sources.²⁸ Nevertheless, this total was the highest citizen count to date in the Republic's history so we must assume that at least some of the new citizens were enrolled. Connected to this reform however is a note in the *Periochae* of Livy for the year 84 BC:

'By Senatorial decree, the new citizens received the right to vote. Freedmen were registered in the thirty-five voting districts.'²⁹

It is unfortunate that we have no further details in any of our surviving sources for the implementation of this major reform. We do not know why, when this distribution was re-enacted in 87 BC by Cinna, that it took until 84 BC or why it was done by senatorial decree. Clearly, we are missing key details on Roman domestic political history for this period but the delay would explain why the Census of 86/85 BC did not record a much higher figure. The above example perfectly demonstrates the dangers we have in covering this period of the Republic, as the few surviving sources we do have focus on the civil war in the east of the empire and not on the situation in Rome. Thus are almost certainly missing many key measures passed by the Cinnan regime.

It was early in 84 BC that the Cinnan regime began to struggle politically. The situation in the eastern empire had resolved itself and not in Rome's favour. In 86 BC, there were three competing armies fighting: two antagonistic Roman armies (those of Sulla and Valerius Flaccus) and the invading armies of Mithridates. Flaccus was soon murdered by his own deputy, C. Flavius Fimbria, who continued to fight Mithridates. Faced with two Roman armies, Mithridates' forces were defeated in Greece and driven back into Asia Minor. A clash between the two Roman armies in Greece was avoided when Sulla convinced Fimbria's army to mutiny and join him, forcing Fimbria to commit suicide to avoid capture. Sulla then swiftly conducted a peace treaty with Mithridates, which saw him evacuate all Roman territory and pay Sulla (not Rome) massive reparations. Thus, by 84 BC Sulla had complete control of Rome's eastern empire, including all its

military and financial resources.

Unsurprisingly he turned his attention back to Rome, where technically he was still an enemy of the state.³⁰ From the view of Rome, the threat from the east posed by Mithridates had been replaced by a far greater threat, the invasion of Italy by Sulla. In this case it is not surprising that we hear of the Senate breaking free from the grip of Cinna and wanting to negotiate with Sulla:

‘When the letters were read fear fell upon all, and they began sending messengers to reconcile him with his enemies and to tell him in advance that, if he wanted any security, he should write to the Senate at once. They ordered Cinna and Carbo to cease recruiting soldiers until Sulla’s answer should be received. They promised to do so, but as soon as the messengers had gone they proclaimed themselves consuls for the ensuing year so that they need not come back to the city earlier to hold the election. They traversed Italy, collecting soldiers whom they carried across by detachments on shipboard to Liburnia, which was to act as their base against Sulla.’³¹

Thus the Cinna grip on the Republic was loosened, which is hardly surprising given that Sulla now appeared to pose a far greater threat than Cinna. Unfortunately for Cinna, his plans to face Sulla in Greece fell apart when he was murdered in yet another mutiny by a Roman army (in 84 BC). Thus, control of the Republic (in the west at least) fell to his colleague Cn. Papirius Carbo, who avoided the election of a new colleague and spent the rest of the year as sole Consul of Rome. Such a course of action brought him into conflict with the tribunes, who apparently threatened to strip him of his consulship, another sign that Rome was returning to normal political practice and that the Cinna regime’s grip on power was weakening. It also shows that once again tribunes were attempting to use their power to remove a consul:

‘Carbo recalled those who had been sent over by ship to Liburnia, and, through fear of what was taking place, did not go back to the city, although the Tribunes summoned him with urgency to hold an election for the choice of a colleague. However, when they threatened to reduce him to the rank of a private citizen he came back and ordered the holding of the consular election, but as the omens were unfavourable he postponed it to another day. On that day lightning struck the Temples of Luna and of Ceres; so the augurs prorogued the comitia beyond the summer solstice, and Carbo remained sole Consul.’³²

The following year Carbo relented and allowed the election of fresh

consuls, the first since 87 BC. The men chosen were however staunch loyalists to the regime and included a Scipio (L. Cornelius Scipio Asiaticus) and C. Norbanus. Carbo would have continued a senior role behind the scenes preparing for the expected Sullan invasion of Italy, but he could not match the gravitas of a Cinna or Marius. In terms of domestic politics, we hear of a tribune, M. Iunius Brutus (father of the famous killer of Caesar), passing legislation setting up a colony in Capua.³³ Yet overshadowing all of Roman politics this year was the threat of Sulla. Everyone was waiting to see what he did next, and they did not have to wait long, as in 83 BC Sulla invaded Italy from the east and plunged Rome into two more years of open civil war.

Again, the full details of the Civil War campaigns fall out of the scope of this work.³⁴ However, the year 82 BC saw another infamous act of political bloodshed which came away from the battlefield. With the war going against him militarily, the consul C. Marius (Younger) became concerned that many in the Senate wanted to sue for peace with Sulla. To prevent this, he ordered the Urban Praetor, L. Iunius Brutus Damasippus, to slaughter any senators suspected of harbouring pro-Sullan sympathies. The victims included the Pontifex Maximus himself, Q. Mucius Scaevola. Thus Rome saw a second massacre in five years of its leading men:

‘He wrote to Brutus, the city Praetor, to call the Senate together on some pretext or other and to kill Publius Antistius, the other Papirius, Lucius Domitius, and Mucius Scaevola, the Pontifex Maximus. Of these the two first were slain in their seats as Marius had ordered, assassins having been introduced into the Senate House for this purpose. Domitius ran out, but was killed at the door, and Scaevola was killed a little farther away. Their bodies were thrown into the Tiber, for it was now the custom not to bury the slain.’³⁵

However, by late 82 BC Sulla made a decisive move and seized a largely undefended Rome. His opponents launched a last gasp attack on the city to remove him with the two sides meeting at the Battle of Colline Gate. After a close-run battle, which was only swung in Sulla’s favour by the actions of M. Licinius Crassus (the future triumvir), Sulla emerged victorious and had control of Rome and Italy.

The Sullan Settlement 82–80 BC: Bloodshed and Political Reform

Military control of Rome and Italy, along with the eastern empire was

soon followed by the capture of Sicily and North Africa. With all of Rome's empire under his control, with the exception of Spain and Gaul (being held by C. Valerius Flaccus), Sulla turned his attention to securing his position in Rome and, as he saw it, ensuring the present and future stability of the Republic. The two methods he chose to achieve his aims encapsulates this whole period: bloodshed and political reform.

Sulla's first act when he had secured control of Rome after Colline Gate was a highly symbolic one; he called a meeting of the Senate (what was left of it) and opened the session to coincide with the massacre of 3,000 (or 6,000) Samnite prisoners (captured at Colline Gate) in the field outside the Senate House. This massacre of unarmed prisoners seemed to have been merely the start of a long process of state-sanctioned murder. Rather than random acts, Sulla drew up a list of his enemies to be murdered with their lands and wealth confiscated to rebuild the state coffers. Thus was borne the infamous proscription lists. Anyone whose name was on one such list could be legally murdered, with the killer gaining a portion of the dead man's estate as a reward, the remainder being auctioned off and the proceeds going to the state.³⁶ Furthermore, the descendants of the proscribed were barred from ever holding political office. One man who notoriously made a fortune from buying these properties, and perhaps even arranging names to be put on the lists, was M. Licinius Crassus, who soon became Rome's richest man, with an unsavoury reputation to match.

According to the sources the original list contained just eighty names, listing prominent coalition leaders and supporters. However, this was soon followed by a second list in the hundreds and other supplementary lists covering all of Italy, thus unleashing slaughter across the city and the peninsula. The Marii were targeted for particular reprisals; perhaps the grisliest of deaths was reserved for M. Marius Gratidianus, the nephew of Marius Snr and former tribune and praetor (see above):

'Sulla ordered that he be bound, taken across the Tiber to the tomb of the Lutatai and be butchered by having his eyes gouged out and his limbs cut off, or rather broken piece by piece.'³⁷

Marius Gratidianus was thus savagely murdered by one of Sulla's notorious officer, L. Sergius Catilina, in retaliation for a murder Gratidianus had committed when the Marians took Rome in 87 BC. Caius Marius (Snr) himself did not escape reprisals, despite his death

some four year earlier, as Sulla had his corpse dragged from his crypt, paraded through Rome and torn apart. With C. Marius (Younger) committing suicide during the siege of Praeneste, all the prominent members of the family had been wiped out though we do find an M. Marius as the leader of the Roman forces fighting with Mithridates in the 70s BC.³⁸

Remarkably, three senior politicians survived each of the key massacres of this period (87, 84 and 82-81): L. Valerius Flaccus (Cos. 100), M. Perperna (Cos. 92) and L. Marcius Philippus (Cos. 91). All three men held senior positions prior to the Civil War, were seen as loyalists to the Marian and Cinna regimes under which they held senior positions, did not fall under suspicion of being sympathetic to Sulla, and yet were able to switch their allegiance to Sulla without retribution.

There were two other notable survivors of these proscriptions. The first was L. Cornelius Scipio Asiaticus (Cos. 83 BC), who famously had lost an army to Sulla without a single engagement. Appian reports that Scipio had come to some form of arrangement with Sulla, but soon violated it and was proscribed.³⁹ He managed to evade the assassins and lived in exile in Massilia (Marseilles) for the rest of his life.⁴⁰ The second notable survivor was a young man by the name of C. Iulius Caesar. Although he had not taken part in the fighting, he had prominent Marian and Cinna family connections; his uncle by marriage was C. Marius himself and he was married to Cinna's daughter. When summoned before Sulla and ordered to divorce his wife, extraordinarily he refused point blank, and later had to flee the city to evade being murdered. No other comment is needed on the changes to western civilization if Sulla had been quicker to condemn him.

Aside from the personal slaughter, Sulla took reprisals against prominent coalition supporting towns and cities across Italy. Walls and fortresses were destroyed, garrisons installed, land confiscated, fines levied and veteran colonies planted next to them on their confiscated lands (see below). With his enemies dead, or in the process of being eliminated, Sulla turned to securing his own position and introducing a programme of political reforms, which he believed would restore the Republic and prevent any future violence or collapse. Having been absent from Rome since 88 BC, he clearly had time to think through what he saw was wrong with the Republic and what reforms he could introduce to 'cure' the Republic's ills. Clearly,

he never saw that marching your army against your home city (twice) made you part of the problem and not the best person to be responsible for the solution.

Nevertheless, he clearly saw that it was his duty to be the man to reform the Republic and ensured that he went about it in a constitutional manner. The two consuls were obviously absent from Rome; C. Marius had died at Praeneste and Cn. Papirius Carbo had fled to North Africa and then Sicily, where he was soon defeated and killed by Sulla's general (and son-in-law), Cn. Pompeius (son of Cn. Pompeius Strabo, the man who had killed Sulla's consular colleague in 88 BC).

With no living consuls, the Senate appointed L. Valerius Flaccus, the Princeps Senatus, as Interrex (a temporary five-day magistracy held when neither consul was in Rome). At first glance, Flaccus was a surprising choice given that he had served his consulship in 100 BC as a colleague of C. Marius, and his cousin M. Valerius Flaccus was the man who replaced C. Marius in the consulship of 86 BC and was then given control of the Cinnan armies of the east. Given that men with far more tenuous Marian links were being butchered thanks to Sulla's proscription lists, his survival, never mind his new role, at first seems bizarre. Yet key to his survival and later promotion was his other cousin, C. Valerius Flaccus (brother of the murdered Lucius).

Caius had been consul in 93 BC and was serving as the governor of Nearer Spain when the Civil War broke out. Given the subsequent chaos and near collapse of the Republic, he had remained in Spain and by 82 BC had expanded his control to cover both Spanish provinces and that of Transalpine Gaul, effectively controlling the western half of Rome's empire. This gave him potentially huge military and financial resources, certainly enough to challenge Sulla if he so chose. However, he seems to have wanted to play no part in the Civil War (unlike his brother, the murdered consul of 86 BC) and did not intervene when Sulla invaded Italy. This being the case we can assume that Sulla was negotiating terms with Caius for his peaceful return. Key to these negotiations therefore was his cousin L. Valerius Flaccus, the Princeps Senatus, which explains his survival through every massacre of this period and his role in the Sullan regime.

As Interrex, Flaccus called the Centuriate Assembly (the older and more traditional Assembly of the People, see [Chapter One](#)) and proposed three measures: firstly, that the law which made Sulla an enemy of the People and ordering his banishment was annulled;

secondly, that all of Sulla's acts as consul and pro-consul be ratified; and thirdly, Sulla was to be elected to the office of Dictator.⁴¹ The dictatorship was a Roman magistracy invested with supreme power and only used in times of military or political emergencies, with the caveat that it could be only held for six months. However, the office had fallen out of favour and had not been used since 202 BC.⁴² What L. Valerius Flaccus proposed however was a position far more powerful than the standard dictatorship:

'So Sulla went out of the city for a time and ordered the Senate to choose an Interrex. They chose Valerius Flaccus, expecting that he would soon hold the consular comitia. But Sulla wrote ordering Flaccus to represent to the people his own strong opinion that it was to the immediate interest of the city to revive the Dictatorship, an office which had now been in abeyance four hundred years. He told them not to appoint the Dictator for a fixed period, but until such time as he should firmly re-establish the city and Italy and the government generally, shattered as it was by factions and wars. That this proposal referred to himself was not at all doubtful, and Sulla made no concealment of it, declaring openly at the conclusion of the letter that, in his judgment, he could be most serviceable to the city in that capacity.'⁴³

Thus Sulla was elected to the revived office of Dictator for as long as he wished to hold the office and with unlimited military and political power and a remit to redesign the constitution, making him the most powerful Roman since the last king. Every dictatorship was accompanied by a deputy (the Master of the Horse) and unsurprisingly L. Valerius Flaccus was duly selected, technically making him the second most powerful man in Rome.

Despite all the constitutional trappings, clearly Sulla was only elected to the office due to his military control of Rome and Italy, though many would have acknowledged the need for reform after a decade of civil war and bloodshed. It is clear though that they were not voting to make Sulla a lifelong dictator, but with the hope that he would lay down supreme power when he felt he had accomplished his appointed task. Furthermore, elections were held for the magistracies for the following year, though with the obvious caveat that all candidates would meet with Sulla's approval. Just how free and fair these elections would be was demonstrated the following year by Sulla when a certain Q. Ofella stood for the Consulship of 80 BC:

'Q. Lucretius Ofella, who had besieged and captured Praeneste

together with the Consul Marius, and had won the final victory for him, and who was now, despite the new law, presumed to be a candidate for the Consulship while still in the equestrian order and before he had been Quaestor and Praetor, counting on the greatness of his services, according to the traditional custom, and appealing to the populace, he [Sulla] slew him in the middle of the Forum. Then Sulla assembled the People and said to them “Know, citizens, and learn from me, that I put to death Lucretius because he disobeyed me.”⁴⁴

Thus Rome once again had a supreme leader and one far more powerful than Cinna. It must have been late in the year 82 BC that Sulla was elected as Dictator, and it seems that the bulk of his reforms came the following year in 81 BC.

In terms of the Civil War, there was a brief period when it looked like the wars had ended and the empire was united again. Negotiations between Sulla and C. Valerius Flaccus must have been concluded successfully, as the latter returned home from Spain and celebrated a triumph over the Celtiberians and Gauls and resumed his place in the Senate. Furthermore, the last of the Cinna leaders (Q. Sertorius) had been expelled from Spain by Flaccus’ replacement, C. Annius. Peace proved elusive however when Sertorius returned from North Africa the following year and a number of the Spanish tribes rose in rebellion with him at its head, proving a rallying point for the survivors of the Cinna/Marian regime and thus the Civil War continued.

In Rome itself, consuls were duly elected in the form of M. Tullius Decula and Cn. Cornelius Dolabella, who unsurprisingly passed a quiet year in office, overshadowed by Sulla as Dictator. By the same token none of the identities of the tribunes this year have survived either. Clearly Sulla had attempted to reform the Roman constitution once before (in 88 BC with his colleague Q. Pompeius Rufus, see [Chapter Eight](#)). Technically, the act passed by the Centuriate Assembly which ratified all of Sulla’s acts as consul and pro-consul would have brought these reforms back into legal existence, but given the time elapsed and the confusion over that period, Sulla set out a fresh programme of political reforms.

In total, we can identify nearly a dozen different measures, and there is no saying that we have all of them recorded in our surviving sources. Broadly however we can categorize them into five categories. In terms of political reforms, we have the following categories: the Senate, the *cursus honorum*, the tribunate, the juries and the People.

Given the numerous bouts of political slaughter, exiles and Sulla's own on-going proscription programme, not to mention the numerous battles that had been fought across Italy, it is not surprising to find that the numbers of senators had dipped dramatically. To resolve this, Sulla fell back on an old measure, proposed by Livius Drusus and passed, but probably not enacted by Sulla himself in 88 BC: namely that 300 men from the equestrian order be admitted to the Senate. Not only did this restore senatorial numbers, but at a stroke Sulla created a Senate which should be loyal to him. He also made sure that each man was publicly vetted, presumably for their adherence to his view of the Republic:

'To the Senate itself, which had been much thinned by the seditions and wars, he added about three hundred members from the best of the knights, taking the vote of the tribes on each one.'⁴⁵

Whilst this brought up the numbers of the current Senate, Sulla also passed a measure to ensure that the Senate would be fully manned in future, by granting anyone who held the quaestorship the automatic right of Senate membership. Previously this had not been an automatic right, but was decided by the censors. Sulla also increased the number of questors to twenty a year (from the current ten), allowing for more men to be elected to the office, reflecting both the increased need for junior magistrates to help administer Rome's empire, and also ensure a regular supply of men admitted to the Senate each year. This alone would ensure that every census (five years) there would be 100 new senators admitted (see below on the censorship). By a similar token he raised the number of praetorships to eight each year from the present six. He also restated in legislation the official *cursus honorum* (order of offices) which had to be followed:

'He repealed laws and enacted others. He forbade anybody to hold the office of Praetor until after he had held that of Quaestor or to be Consul before he had been Praetor, and he prohibited any man from holding the same office a second time till after the lapse of ten years'⁴⁶

As such, he was clearly hoping to avoid men attempting to gain higher power at a younger age, and probably harked back to the issue with C. Iulius Caesar Strabo attempting to gain the consulship in 88 BC (see [Chapter Eight](#)). This would also prevent the repeated consulships of Marius and Cinna, which allowed them to dominate the Republic. A further restriction came in the form of a measure banning the children of the proscribed from holding political office. This prevented the sons of his enemies from ever holding political office, therefore denying

them the chance to overturn his settlement. He also increased the number of religious positions (augurs and pontiffs) to fifteen each.⁴⁷

The next set of measures concerned the Tribune of the Plebs itself, which as we have seen lay at the heart of all political violence for the previous fifty years. With this in mind Sulla passed three reforms, all of which seemed to hark back to the early Republic. Firstly, tribunes lost the right to initiate legislation, thus removing one of the office's key powers and the one which had been exercised by all of the political reformers to hold the office.⁴⁸ This meant that only consuls or praetors could initiate legislation, which combined with the strict progression of office holding (see above) would theoretically ensure that no-one would be able to pass legislation who was of a young age or from an 'undesirable' background, especially given that there were only ten positions available a year (eight praetors and two consuls). In many ways this move turned the clock back on the tribunate and undid the gains made during the Struggle of the Orders in the fifth and fourth centuries (see [Chapter One](#)). The power to legislate now lay in the hands of the senior magistracies and the Roman elite.

As well as curtailing the tribunate's positive power (the right to legislate), a second reform concerned the tribunate's negative powers (the right to veto), placing restrictions on its use, though we have no details as to what these were. The tribunician veto was composed of two powers: the original *ius auxilium*, the right of physical intervention, backed up by their supposed religious inviolability and the *ius intercessio*, the right to block official acts such as legislation. If Sulla was indeed turning the clock back and intent on re-creating the tribunate of old, then these curbs would have been on the power of *ius intercessio*, and thus removing the right to block legislation or other official acts, perhaps without official approval. In 80 BC, the tribune C. Herennius used his power of veto, but only on official approval:

'For when Sulla, as Consul, proposed a law touching his [Pompeius'] return, the Tribune of the commons, Caius Herennius, had vetoed it by previous arrangement.'⁴⁹

The third reform was a prohibition on holders of the tribunate to stand for further political office:

'He curtailed it by a law which provided that one holding the office of Tribune should never afterward hold any other office; for which reason all men of reputation or family, who formerly contended for this office, shunned it thereafter.'⁵⁰

The idea being that no Roman nobleman would want to hold the office even though he would be entitled to through his plebeian status. Again, this had the effect of turning the clock back by ensuring that the holders of the tribunate would not be noblemen or senators. Therefore we can see that under the Sullan reforms, the tribunate was gutted of its key powers and thus, in Sulla's eyes (and those of many of his colleagues), it would no longer be a source of instability. This led Velleius Paterculus to label the office *'imaginem sine re'*: a shadow without substance.⁵¹

The next area Sulla was to address was jury composition, which had been a long-running political issue since the reforms of Caius Gracchus in the 120s BC (see [Chapter Four](#)). Again, Sulla appears to have turned to the ideas of Livius Drusus (however intentional) and created seven standing courts for the various offences, all manned by senators. However, as Sulla had recently enrolled 300 equestrians into the Senate, juries would be controlled by this unified body, though whether it would reduce tensions between the Senate and the equestrians who were not senators would be another matter. Sulla also tackled another of the legacies of Caius Gracchus by abolishing the corn dole, whereby the Roman state sold grain to the citizens of Rome at a subsidized price.

We are also told that Sulla took measures to increase the citizen body, though perhaps not in the way we would imagine. The key issue through the Civil War had been the role of the new citizens, who seem to have been fully integrated into the citizen body by the senatorial act of 84 BC (see [Chapter Eight](#)). We hear nothing of these new citizens in the Sullan reforms, but are told the following:

'To the Plebeians he added more than ten thousand slaves of proscribed persons, choosing the youngest and strongest, to whom he gave freedom and Roman citizenship, and he called them Corneli after himself. In this way he made sure of having ten thousand men among the Plebeians always ready to obey his commands.'⁵²

Thus we have a picture of Sulla as the great emancipator, a man who freed far more slaves than any other Roman to date and at a stroke increased the citizen body by 10,000, all of whom would (theoretically) owe their loyalty and their voting power to him. We have no evidence that Sulla passed any measure affecting the full distribution of Italians through the tribes, though in practice he may not have needed to. Although the new citizens had been awarded full distribution amongst the thirty-five tribes, we are not told whether

this was ever implemented, mostly due to the fact that between 86 and 70 BC no censors were elected. With no censors being elected, we do not know whether these new citizens were enrolled amongst Rome's tribes or not.

We have no formal notification that Sulla abolished the censorship, but he may have left guidelines stating that elections were not to be held. The next censorship would have been due in either 84 or 81 BC (depending on whether they counted from the last regular censorship of 89/88 BC or the additional one of 86/85 BC). Certainly, Sulla's reform of the quaestorship (giving it automatic membership of the Senate) raises questions whether this was to avoid the need for censors to be elected to fill vacancies in the Senate. It has been argued that his dictatorship may have had censorial powers and thus some form of census may have been conducted.⁵³ Ultimately, given the lack of sources for this period, we cannot know for certain on either the issues of the censorship or the enrolment of new citizens. Enrolling 10,000 former slaves was not the only measure Sulla took to preserve his powerbase, as we also hear of a large colonization programme to settle his veterans in Italy:

'In order to provide the same kind of safeguard throughout Italy he distributed to the twenty-three legions that had served under him a great deal of land in the various communities, as I have already related, some of which was public property and some taken from the communities by way of fine.'⁵⁴

Thus Sulla distributed 120,000 veterans across Italy,⁵⁵ again using them as a tool to ensure the various communities' loyalty to Rome, even though they were now all citizens. Perhaps one of the most famous of the Sullan colonies was at Pompeii.⁵⁶ Given the rebellion of the various Italian peoples during the Civil War period and the military support Cinna and the Marii had enjoyed throughout this period, this military colony programme made strategic and political sense. It also ensured that he personally had a powerbase to fall back on should civil war flare up in Italy once more.

To enhance his personal image, Sulla undertook a range of measures. He celebrated a triumph, not over his civil war opponents, but over Mithridates, the Treaty of Dardanus being overlooked. He took the title of 'Felix' (lucky), ascribing his success to divine providence (rather than Crassus at the Battle of Colline Gate). Gilded statues of him were raised in Rome, his monuments rebuilt and special games instituted to celebrate his achievements. In fact, Sulla

summoned so many athletes from Greece to celebrate his games that Eusebius records that events at the Olympic Games had to be cancelled as a consequence.⁵⁷

He also took a number of actions with regards to the city of Rome itself, all of which would have reflected back on him as a 'restorer of Rome'. He began the reconstruction of the Capitol, destroyed by fire in 83 BC, which allowed him to symbolize his rebuilding of a new Roman Republic. It is reported that he extended the Pomerium, the sacred boundary of the city of Rome, the first time such an extension had happened since the regal period. He also apparently enlarged the Curia, used for senatorial meetings, most likely in response to his increasing of the Senate. He also seems to have passed laws on marriage laws and sumptuary legislation, seemingly taking the role of Rome's guardian and restorer of traditional morals.

How long Sulla held the Dictatorship is a matter of debate and is far from clear; some sources claim that he held it from 82 until 79 BC, whilst others contend that he set it aside at the end of 81 BC.⁵⁸ What is clear is that during the consular elections in 81 BC (for the consulship of 80), Sulla stood as a candidate along with his loyal lieutenant Q. Caecilius Metellus Pius (son of Metellus Numidicus). Given this, many argue that Sulla did indeed lay down his dictatorship, having passed his reform programme⁵⁹ and then took up the more regular position of consul to ensure there was no immediate attempt to reverse them. Of course, by holding a second consulship just eight years after his first he was in breach of his own law on repeat magistracies (within ten years). After a year in office he then stood down from all (formal) positions of power and retired to private life, with the usual continued membership of the Senate.

Thus Sulla had seized supreme power, reformed the state and then laid that power aside. In his wake stood a new Republic, and one which was significantly different from the one which stood in 91 BC, at least in terms of the constitution. In many respects this 'new' Republic had a feel of the ancient Republic, with all legislative power controlled by the senior magistrates and the senatorial elite. Sulla had placed the Senate and the senatorial elite in control of all the levers of power and he must have hoped that they would be able to maintain this new Republic, in the face of the inevitable challenges it would face.

Needless to say, Sulla's period of rule seemed to create as many issues as it solved. His proscriptions caused a massive disruption to the

landholding patterns of Italy, creating a large group of the dispossessed and disenfranchised, some of whom seem to have turned to banditry. A number of the men he settled on land soon proved to be unsuited to being farmers, creating even more dispossessed, all of which created social discontent and therefore potential political capital for a future reforming politician. With a number of the proscribed fleeing Italy another group of exiles was created, all with friends and kinsmen back in Rome and Italy who would agitate for their pardoning and return. The emasculation of the tribunate proved incredibly unpopular amongst both the urban plebeians and a number of the more ambitious senators, with calls for its restoration being made almost immediately. Finally, as was seen both in Italy, Africa and Asia, over the next few years, Sulla's reforms had done nothing to curb the excesses of mutinous armies or unscrupulous commanders, all of whom had seen both the horrors, but also the rewards, that naked force against one's own state could bring. In that regard, Sulla could not erase his own example and in many respects undermined his own authority by the method of his coming to power.

There exists a fragment of a history by John of Antioch, a seventh century AD chronicler, which provides the following outrageous fragment of history and one which continues to baffle historians to this day:

‘Upon the renewal of civil strife the Roman Senate proposed that Sulla be granted dictatorial powers. For all the knights had banded together, wishing to rule rather than be ruled and since they repeatedly attempted to oppose the Senate the situation was intolerable to the government. Accordingly Sulla, having again attained this office, made a secret agreement with men throughout Italy, unbeknown to anyone at Rome, and ordered them to arm themselves with daggers and enter the city at the time when the Roman people would be starting to celebrate the festival of Rhea (this normally occurs about the first of January), so that with their help he might destroy the urban knights. Since the Italian rabble was hostile to the soldiers they duly appeared on the appointed day, began to riot, and by enlisting the help of the populace did away with a large number of knights. While these events were taking place in the city, reports from the subject peoples everywhere reached Rome, announcing incursions of barbarians and suggesting that the Roman Consuls and Praetors should occupy their territories with all speed. I give this on the authority of Plutarch. Diodorus, however, says that no

such reports existed, and that Sulla concocted them as a means of distracting the people and ending the disorders. For he promptly enrolled all the armies and assigned them commanders, and thus rid the city of the whole multitude.⁶⁰

To say that this information related in this fragment cannot be reconciled with the known history of this period would be an understatement and a number of commentators are happy to dismiss it. Yet John quotes both Diodorus and Plutarch as his sources, though clearly Plutarch's biography of Sulla has no mention of these events. To his credit, Katz took up the challenge of trying to integrate this fragment and would date it to 88 BC, based upon John having a very distorted view of the events of that year.⁶¹

What we have here is an equestrian plot being foiled by Sulla who is recalled to a second dictatorship. There is much that is unclear and some that is clearly anachronistic, such as the Festival of Rhea, which did not exist in Republican times. Yet at the heart of it, lies Sulla being recalled to the dictatorship to crush an equestrian plot using both men from Italy, who could easily be his veterans and a mixture of bloodshed and deception to crush it. We know little detail of the years 81–79 BC as seen from the discussion over the length of Sulla's dictatorship. Yet it is entirely possible that he laid down his dictatorship earlier than 79 BC only to have to take it up again when civil strife broke out in Rome. As will be discussed (see [Chapter Ten](#)), such an occurrence of civil strife did soon follow his resignation of 79 BC. Furthermore the fragments we have from Diodorus do contain a wealth of detail not found in any of our other surviving sources for the period. Thus whilst we cannot say that this fragment can be taken at face value, we must not dismiss it or ignore its existence, as it could possibly provide an invaluable insight into the 81–79 BC period.

It seems that even though he had resigned from formal positions of power, Sulla continued to sit in the background, acting as an invisible guarantor, with his powers of patronage and his network of veterans and freed slaves to call upon as necessary. In many ways, this foreshadowed the role that Augustus was to play some fifty years later in acting as guardian of his constitutional settlement. Unfortunately for Sulla, he soon fell seriously ill and died (of natural causes) in the year 78 BC and thus the new Senate was left alone to defend the new Republic.

Summary

We can see that once again, a push for political reform led to an even further escalation of violence with Rome itself being laid siege to by her own armies and fought over on three occasions in just six years (87 and 82 twice). Whereas the previous period of violence had ended in bloodshed, this period saw Roman politicians committing wholesale slaughter of their fellow senators. On two occasions (87 and 82/81), the victorious commanders (who had seized Rome) purged their enemies from the political elite, along with anyone else who got in their way. On each occasion the death toll could be counted in thousands, not to mention the tens of thousands killed fighting in the Civil War battles up and down Italy.

In their political score-settling, the Roman elite brought about the collapse of their empire, with the temporary annexation of Greece and Asia Minor by a foreign power, and spent more time fighting each other than their foreign enemies. At one point, the Roman empire was split into three with Sulla controlling the east, Cinna the centre (Italy, Sicily, Africa) and Valerius Flaccus the west (Spain and Gaul). By the time Sulla stepped down in 79 BC the empire was united once more though the Civil War soon flared up in both Spain and the East once more (through Sertorius and M. Marius).

Having brought about temporary control through military power and wholesale bloodshed, Sulla attempted to restore stability to the Republic by a series of political reforms designed to centralise power in the hands of the senatorial elite, perhaps backed up by him, acting as silent guardian. His death robbed this 'New' Republic of its silent guardian, leaving the senatorial elite to ensure stability.

Chapter Ten

Reform, Bloodshed and the Defence of the New Republic (79–70 BC)

Potential Threats to the New Republic

Despite Sulla retiring apparently satisfied with the ‘New’ Republic he had created, one which seemingly harked back to a (non-existent) golden age with the Senate and nobility in control, there were still a number of threats to its continued prosperity. The Civil War, which briefly looked as though it had run its course, flared up again in Spain under the leadership of Q. Sertorius and in the east under M. Marius (backed by Mithridates). There were clearly a number of losers from the Sullan settlement, notably those exiled or the families of those proscribed, not to mention the People themselves, who had lost political power and possibly the new citizens who may not have been fully enrolled into the citizen body. Then there were the Italian communities which had seen land confiscated from them and new Sullan veteran colonies planted in their midst. Furthermore, there was the fundamental issue that the majority of the disruptions and bloodshed caused over the previous sixty years had been by members of the very senatorial elite that Sulla had put so much faith in to preserve the reformed Republic. Clearly Sulla hoped that by denying access to the tribunate (and its legislative powers) and by ensuring that the *cursus honorum* must be followed (ensuring no one achieved military or political power at a young age) this threat would be contained.

However, it was Sulla himself that did most to undermine the stability of this ‘New’ Republic in two ways. Firstly, there was his example. Although he had laid down supreme power and returned to being a private citizen and had been exonerated of all his previous actions, he could not erase the terrible example which he had set. On two occasions he had used his army to settle a political dispute, firstly in 88 BC when as consul he had attacked Rome (along with his colleague), and secondly in 83 BC when he had invaded Italy and fought a long war to capture and hold Rome. On both occasions he chose military action over a negotiated settlement and his ultimate victory saw him exonerated of all his actions and thus set a clear

example for others to follow.

Secondly, however, the Civil War had forced him to choose some unusual and unconstitutional lieutenants. Of all Sulla's supporters, two in particular stand out: Cn. Pompeius and M. Licinius Crassus. In many ways these two young men had a number of similarities in terms of careers to date. Both men were the sons of fathers who had been involved (and died) in the Civil Wars of 88–87 BC. Pompeius' father was Cn. Pompeius Strabo (Cos. 89 BC) who had murdered the consul Q. Pompeius Rufus (Sulla's colleague in 88 BC) and half-heartedly helped to defend Rome in 87 BC, dying in the process (albeit of natural, or divine, causes). Crassus' father was P. Licinius Crassus (Cos. 97 BC), one of the key senators leading the defence of Rome in 87 BC against Cinna and Marius, and who had been butchered after the city fell (along with his eldest son, Crassus' elder brother).

Thus, at a young age, both men found themselves bereaved, but as head of their respective families. During the years 87–84 BC their paths took a divergent path, with Pompeius reaching an accommodation with the Cinna regime and staying in Italy whilst Crassus fled to the family estates in Spain (a region controlled by C. Valerius Flaccus). Yet both men reacted in the same way when Cinna was killed and Sulla took the upper hand; both raised personal armies and pledged themselves to Sulla's cause. Given the military situation, Sulla had no time to question the unconstitutional actions of two young men raising and leading their own private armies, especially when both proved to be talented generals. Both men proved their worth to Sulla on the battlefield, with Crassus making the decisive contribution to Sulla's victory at the Battle of Colline Gate and Pompeius swiftly retaking Sicily and North Africa from Cinna generals.

Yet here lay the dichotomy at the heart of Sulla's 'New' Republic; namely that he had relied on young men in command of armies, something which he then legislated against. Whilst Crassus seems to have been happy to lay down his command and pursue the *cursus honorum*, Pompeius was less so. In fact, when Sulla ordered him to disband his army after the African campaign, he refused to do so, claiming that his army would not let him. Sulla therefore backed down rather than risk confrontation.¹ Having been emboldened, Pompeius then asked for a triumph for his victories. Under the constitution this would not be permitted as Pompeius, had held

neither the praetorship or consulship and yet again Sulla relented rather than risk confrontation. It was at this point that Pompeius is alleged to have issued the following statement, which seems to sum up the state of Rome at the time:

‘Pompeius however, was not cowed, but bade Sulla reflect that more worshipped the rising rather than the setting sun, intimating that his own power was on the increase, while that of Sulla was on the wane and fading away.’²

Pompeius therefore had used the threat of renewed bloodshed to gain what he wanted: a triumph at the age of twenty-five, which was unconstitutional. Sulla, despite being the master of Rome and in a position of power unequalled since the kings, chose to back down rather than risk open warfare once more. After this confrontation Pompeius did return to Rome and became a private citizen, too young to hold political office. Yet having tasted so much so young, would either Pompeius or Crassus be happy to pursue a traditional political career?

As it turned out, the first challenge to the ‘New’ Republic came quickly and again shook it to its core, with a fresh outburst of violence and bloodshed. The year 79 BC was the first year of the Republic functioning without Sulla in power (having laid down his consulship).³ The new consuls were P. Servilius Vatia and Ap. Claudius Pulcher, presumably vetted/selected by Sulla for their conservative outlook and the year passed off apparently quietly, until the elections were held for 78 BC. Here, there were two candidates standing who undermined the Sullan settlement. The first was a minor incident when L. Licinius Lucullus, believed to be a strong Sullan supporter, was elected as a praetor despite not being the correct age, having been given special dispensation.⁴ Thus, the rules on who could hold office and at what age were being undermined.

The second example was far more serious and came in the election for the consulship. Less than two years after the reforms passed by Sulla, and with Sulla still alive and present in Rome, a candidate stood for (and was elected to) the consulship, who was opposed to the very Sullan reforms which lay at the heart of the new Republican system (M. Aemilius Lepidus, father of the future triumvir):

‘Contrary to his [Sulla’s] wishes, a certain bold enemy of his was likely to be chosen Consul, Marcus Lepidus, not through his own efforts, but owing to the success which Pompeius had in soliciting votes for him from the People. And so, when Sulla saw Pompeius

going away from the polls delighted with his victory, he called him to him, and said: “What a fine victory this is of yours, young man, to elect Lepidus in preference to Catulus, the most unstable instead of the best of men! Now, surely, it is high time for you to be watchful, after strengthening your adversary against yourself”.⁵

This showed both the desire to overturn the Sullan constitutional settlement on the part of the People and many within the handpicked Sullan Senate.⁶ It also showed the weakness of Sulla’s own position. Having no official magistracy, there was nothing constitutionally he could do to prevent Lepidus from standing. If he interfered, then it would be unconstitutional and further undermine the system he had introduced. His mistake lay in expecting the senatorial elite to share his own vision for the Republic and act as a whole body, rather than a loose collection of competing individuals and groups.

The Civil War of 78–77 BC

M. Aemilius Lepidus was duly elected as one of the consuls for 78 BC, the other being Q. Lutatius Catulus, who was seen to be a defender of the Sullan constitution. Thus, the year opened with two consuls who were opposed to each other in relation to the Sullan reforms, a similar situation to that of 87 BC, which had ended in a violent split between the two consuls and renewed civil war.⁷ Whether Sulla would have intervened on this occasion to calm matters will never be known, as he died of natural causes soon after the consuls took office and was given a lavish state funeral, though even this was a source of political dispute between the two consuls:⁸

‘After sealing his will he was taken with a fever towards evening and died the same night. He was sixty years of age and was, I think, as his name suggests [Felix], the “most fortunate” of men in life and in death itself; that is, if the fortunate man is he who obtains all that he desires. Immediately dissensions sprang up in the city over his remains, some proposing to bring them in a procession through Italy and exhibit them in the forum and give him a public funeral. Lepidus and his faction opposed this, but Catulus and the Sullan faction prevailed. Sulla’s body was borne through Italy on a golden litter with royal splendour. Trumpeters and horsemen in great numbers went in advance and a great multitude of armed men followed on foot. His soldiers flocked from all directions under arms to join the procession, and each one was assigned his place in due order as he came, while the crowd of common people that came together was unprecedented,

and in front of all were borne the standards and the fasces that he had used while living and ruling.’⁹

With Sulla’s corpse freshly burnt, Lepidus then launched into an open attack on Sulla’s rule of Rome, swiftly followed by reform proposals reversing the key planks of the Sullan constitution:

‘This was Sulla’s end, but directly after their return from the funeral the Consuls fell into a wordy quarrel and the citizens began to take sides with them. Lepidus, in order to curry favour with the Italians, said that he would restore the land which Sulla had taken from them. The Senate was afraid of both factions and made them take an oath that they would not carry their differences to the point of war.’¹⁰

‘Lepidus, desirous of change in affairs, presumptuously prepared to rescind the acts of that great man; and his action might have been justified, if only he could have carried it out without involving the state in a great disaster. For since Sulla in his Dictatorship, on the strength of his victory, had proscribed his enemies, for what possible purpose, except for war, were the survivors recalled by Lepidus? And since the estates of the condemned citizens, assigned to others by Sulla, though wrongfully seized, were yet held under a form of law, the demand for their restoration undoubtedly tended to disturb the condition of the state now tranquillized.’¹¹

Lepidus, it seems, proposed the following: the recall of those proscribed men living in exile, the restoration of lands taken from various Italian peoples, the restoration of the powers of the tribunate, and new grain distribution laws.¹² Thus, less than three years after the Sullan reforms had been enacted, a consul proposed their abolition, showing just how fragile these reforms truly were. Nevertheless, it seems that the Senate was able to prevent Lepidus from proposing these reforms to the Assembly, though whether this was voluntary we do not know. What is known is that though tense, the situation between the consuls did not spill over into violence during their year in office, which was a triumph in itself. Lepidus was allocated the province of Transalpine Gaul and left Rome before the year was out. It was only in Lepidus’ absence that the situation escalated on both sides. On the one hand it seemed a wise move on the Senate’s part to split the consuls up and remove Lepidus from Rome. On the other this left Lepidus in command of an army on the borders of Italy. Furthermore, one of Lepidus’ legates, M. Iunius Brutus (father of the famous Brutus), held command in Cisalpine Gaul. Once in his province and with an army, Lepidus set out his intention to stand for immediate

re-election (strictly prohibited under the Sullan constitution) presumably to pass his reform programme. When summoned back to Rome, ostensibly to hold the elections for 77 BC, he refused and once again Rome stood on the brink of renewed civil war in Italy.

Therefore, just three years after the Sullan reforms and the ushering in of a new and supposedly stable Republic, Rome saw the consuls again taking opposing sides. Again, rather than seek a negotiated settlement, both sides chose to go to war. After an inflammatory speech in the Senate by L. Marcius Philippus, the Senate condemned M. Aemilius Lepidus as an enemy of the state and demanded he return to Rome to face charges. Lepidus did indeed set out for Rome, but did so at the head of his army. Lepidus then marched his army towards Rome and camped outside of the city demanding, amongst other things, that he receive a second consulship, in order to pass his reform programme. Whilst this demand was not granted, it is surprising that the two consuls who were elected for the remainder of 77 BC were both kinsmen of Lepidus and Brutus: D. Iunius Brutus and Mam. Aemilius Lepidus Livianus. It is possible that they were elected as some form of compromise agreement between the Senate and Lepidus.

Thus, ten years after the consul Cinna marched his army on Rome, after clashing with his colleague, the consul Lepidus did exactly the same. He too seemed to have a number of supporters from within the senatorial elite, including M. Iunius Brutus, L. Cornelius Cinna (son of the consul), M. Perperna and Lepidus' own (adopted) son Cornelius Scipio Aemilianus. One notable absentee was a young C. Iulius Caesar, who returned to Rome on hearing of the death of Sulla, but decided not to join Lepidus.¹³

Opposing him, and defending Rome, was the other consul (Q. Lutatius Catulus), supported by Cn. Pompeius himself. Though previously a sponsor of Lepidus to the consulship, Pompeius clearly calculated that following Sulla's example and marching on Rome itself was not the path to take; he preferred to exploit the situation and gain an unconstitutional command of an army (as a pro-praetor) to defend the 'New' Republic. Again, the full military details of the war fall outside the remit of this work, but matters swiftly culminated in a battle between the two consuls, just north of Rome in the Campus Martius, with Catulus emerging victorious.¹⁴ Pompeius was then sent north to pacify Cisalpine Gaul, defeating the forces of M. Iunius Brutus, who was killed after surrendering. Scipio was killed when the

senatorial forces took the city of Alba; more victims of the political bloodshed.¹⁵ With his attack on Rome repulsed, it seems that Lepidus retreated back into his heartland of Etruria. A fragment from Exsuperantius refers to Pompeius returning from Gaul and defeating and destroying Lepidus' army:

'But Pompeius returned from Gaul, in order to prevent Lepidus from harming the state by his impudent madness, and utterly defeated his army, who fled away and fell into a sudden panic. Lepidus lost the majority of his army and escaped to Sardinia.'¹⁶

Lepidus and his supporters then fled Italy to Sardinia, where he subsequently died of disease. His surviving forces, which seem to have been substantial (and commanded by M. Perperna), then retreated further, this time to Spain to join forces with the armies of Q. Sertorius, also fighting the Sullan regime. Thus the year 77 BC saw another march on Rome by a Consul, but one which was defeated on this occasion. Gaul, Etruria and Sardinia had to be pacified, but the Civil War continued in Spain and had been reinforced by the fighting in Italy. Nevertheless, in Rome peace had been restored and the 'New' Republic preserved. However, although the Republic had survived its first major crisis, the Sullan settlement had clearly already failed in its efforts to prevent further bloodshed and civil war.

Civil War and the Campaign for Political Reform 76–71 BC

The aftermath of this fresh bout of civil war in Italy saw an interesting development and one which also ran contrary to the Sullan constitution. Key to the military success of the Senate in 77 BC was Cn. Pompeius, who not only defeated Lepidus' legate (Brutus), but also drove Lepidus from Italy (if we believe Exsuperantius). However according to the Sullan constitution, Pompeius was officially too young to hold command, an action that perhaps could be excused given the emergency but not for any longer period. Yet when ordered by the consul Catulus to disband his army after the campaign, Pompeius again refused (as he had in 80 BC). He then lobbied to be given command in Spain against Sertorius (held by Metellus Pius) despite again being too young to hold such a command:

'Pompeius, therefore, who kept his army under his command, tried to get himself sent out to reinforce Metellus, and although Catulus ordered him to disband his soldiers, he would not do so, but remained

under arms near the city, ever making some excuse or other, until the Senate gave him the command, on motion of Lucius Philippus. On this occasion, too, they say that a certain Senator asked with amazement if Philippus thought it necessary to send Pompeius out as Pro-Consul. "No indeed!" said Philippus, "but as Pro-Consuls," implying that both the Consuls of that year were good for nothing.¹⁷

Once again when faced with the implied threat of military force, the Senate acquiesced and Pompeius had his command, thus again subverting the Sullan constitution on military commands and placing an army in the hands of a young and ambitious politician.¹⁸ The appointment of Pompeius (in addition to Metellus Pius, rather than in his place) can be interpreted as a sign of the Senate's concern for the escalation of civil war in Spain and the growing power of Sertorius. Not only was he militarily successful, but he had been attracting support from the survivors of the Cinnan regime and the Sullan proscriptions. Furthermore, the failure of Lepidus' attack on Rome led to the survivors fleeing to Spain (and Sertorius), thus boosting his military and political forces. Clearly Sertorius was feeling emboldened as he created his own shadow state, with magistrates and a Senate, to rival that of Rome:

'But the magnanimity of Sertorius showed itself, firstly, in his giving the name of Senate to the Senators who fled from Rome and joined his cause, appointing Quaestors and Praetors from their number, and making all such arrangements in accordance with the customs of his country.'¹⁹

The next challenge came from within Rome and unsurprisingly came from the tribunes themselves. A side effect of the Sullan restrictions on holding further office meant that it became easier for men outside of the political elite to be elected to the office. For centuries, the tribunate had been held by a mixture of men from senatorial families and those from other strata of the plebeian order. However, the effects of the Sullan restrictions were that men from a senatorial background would not want to hold the office (as it disbarred them from further political progression) and so now there were more places available each year for men of the lower plebeian ranks. Furthermore, these other men now had no colleagues from the senatorial families to restrain them. Thus, we see a number of tribunes mentioned in this period, who although they had limited formal power now became vocal mouthpieces for political reform and the overturning of the Sullan reforms.

As early as 77 BC, we hear of a tribune (M. Terpolius) allegedly making trouble, though details are lacking.²⁰ The following year (76 BC) saw further tribunician agitation for the restoration of their powers, led by a Cn./L. Sicinius.²¹ Sicinius is an interesting man as he seems to hail from one of the oldest tribunician families (which dated back to the foundation of the office in the fifth century).²² It is possible that the family had fallen on hard times politically and was now emboldened by the absence of the elite senatorial families from the elections to the office:

‘When this man, as Tribune of the People, had summoned Curio and Octavius, who were then Consuls, into the Forum, and Curio had delivered a tedious harangue’²³

‘In fact, although Lucius Sicinius, who was the first to dare to speak about the Tribunician power, was cut off while you only murmured’²⁴

Thus, after just five years, we see the tribunes agitating in the Assembly for the restoration of their powers.²⁵ We also see that tribunes still had the power to summon the consuls. Interestingly we have another reference to a high-profile case involving the tribunes:

‘They prosecuted Publius Antonius for corruption before Marcus Lucullus, the Praetor of Macedonia. And he was so effective that Antonius appealed to the Tribunes at Rome, alleging that he could not have a fair trial in Greece against Greeks.’²⁶

‘Antonius summoned the Tribunes and swore an oath that he rejected the validity of the court.’²⁷

Therefore we have a member of the senatorial elite appealing to the tribunes to prevent his trial, presumably using their power of physical intervention (*ius auxilium*). Thus despite the Sullan reforms, it seems that the office holders were still active in Roman politics and perhaps had been emboldened by the fact that they didn’t have to modify their behaviour in office as they may have previously had to do, had they been thinking of standing for further office. The first cracks in the Sullan settlement came just the following year, and at the hands of a consul. The consuls for 75 BC were L. Octavius and C. Aurelius Cotta, who Sallust describes thus:

‘Octavius was slothful and negligent; Cotta was more active, but with his political ambitions and natural lavishness he hoped to gain the favour of individuals.’²⁸

Thus it seems that Cotta stood for election (and won) on a platform of political reform. This shows the fundamental flaw with the Sullan

reforms, the very body he hoped would safeguard his reforms (the senatorial aristocracy) saw a political opportunity to gain advancement and electoral success by running on a popular programme of opposing them. In this case, it seems that the issue was affected by the souring of the popular mood following corn shortages, and even riots, during which the consuls were attacked, though this is only found in a fragment of Sallust:

‘by [intolerable] shortages in the [corn supply]. Worn out by these difficulties, the People resorted to violence and attacked both the Consuls, while they accompanied Q. Metellus [later called Creticus], who was a candidate for the Praetorship, along the Sacred Way. They chased the Consuls to the house of Octavius, which was nearer ... fighting.’²⁹

Sallust also records a speech Cotta made to the people following this violence,³⁰ after which it seems that he passed a law in the Assembly, which repealed the Sullan ban on tribunes standing for further office:

‘The one he carried in his consulship against the wishes of the nobility, but with great support from the People, that those who had been Tribunes of the Plebs might be allowed to take other offices too.’³¹

Thus, just six years after it was introduced, one of the key Sullan reforms of the tribunate was removed. Even though the office still had limitations on its powers of legislation and veto it was now open for men of the senatorial order who wished to pursue a political career. Furthermore, this reform had been sponsored by a consul working with the People and apparently against the wishes of many in the Senate, again showing how flawed the Sullan reforms were, with no one to enforce them. This year also saw a tribune (Q. Opimius) seemingly testing the boundaries of the Sullan restrictions on use of the tribunician veto (*ius intercessio*):

‘A fine was sought to be recovered from Quintus Opimius before him while Praetor; who was brought to trial, as it was alleged, indeed, because while Tribune of the People he had interposed his veto in a manner contrary to the Cornelian law, but, in reality, because while Tribune of the People he had said something which gave offence to some one of the nobles.’³²

Though the charge may well have been spurious, it shows that the Sullan legislation was not clear and that it would need to go to the courts to see whether its use in this case was legal or not, just undermining the validity of the Sullan reforms further.

The following year (74 BC) saw yet another tribune (L. Quinctius) advance the cause of reform and the abolition of the Sullan restrictions on the office, this time leading to a clash with one of the consuls (L. Licinius Lucullus), a staunch supporter of Sulla.³³ This clash was repeated the following year (73 BC) led by the tribune C. Licinius Macer. The fragments of Sallust's histories record what is purported to be a speech of Macer's calling for the restoration of tribunician power and the long history of the plebeian struggle, linking it to the struggle to overturn the Sullan reforms.³⁴ In it, he advocated peaceful resistance to the rule of the Senate, until the Sullan restrictions on the tribunate (and thus the power of the People – in his eyes at least) had been overturned:

‘I do not urge you to avenge your wrongs, but rather to seek quiet; and it is not because I desire discord, as they charge, but because I wish to put an end to it, that I demand restitution according to the law of nations. If they persist in refusing this, I do not advise war or secession, but merely that you should refuse any longer to shed your blood for them. Let them hold their offices and administer them in their own way, let them seek triumphs, let them lead their ancestral portraits, against Mithridates, Sertorius, and what is left of the exiles, but let those who have no share in the profits be free also from dangers and toil.’³⁵

Furthermore, he stated that he believed that Pompeius would restore the power of the tribunate when he returned from Spain:

‘For my own part I am fully convinced that Pompeius, a young man of such renown, prefers to be the leading man of the state with your consent, rather than to share in their mastery, and that he will join you and lead you in restoring the power of the Tribunes.’³⁶

However, despite this and continued resistance from the tribunes, no further actions were taken to overturn the Sullan restrictions on the tribunate. In fact, given the lack of surviving sources for the period and the focus of the remaining sources on military matters, we hear little of domestic politics in this period. In 71 BC, we do hear of continued tribunician agitation (this time by a M. Lollius Palicanus) for the Sullan reforms to be overturned.³⁷ It seems that many were waiting for the return of Pompeius from Spain before making a determined effort at political reform.

In fact, the period of 73–71 BC was dominated by a fresh crisis in Italy. In 73 BC, a small slave rebellion broke out in Capua.³⁸ Unlike previous slave rebellions in Italy, this one spread in scale and soon

escalated into a major crisis, when the slaves formed themselves into a military force and defeated several Roman commanders sent to crush them, culminating in the defeat of both of the consuls of 72 BC. Rome suddenly found itself facing a hostile army within its own borders, headed by a leader who was to become immortalized: a slave by the name of Spartacus. This slave rebellion became the largest in Roman history (before or since) and clearly reflects the disruption caused to Italy by decades of civil war. This crisis however provided a wonderful opportunity for one man, M. Licinius Crassus, the other of Sulla's young protégés, who successfully pushed for a pro-praetorian command against Spartacus. Showing again the tactical brilliance he displayed during the Civil War in Italy, he was able to bring Spartacus to battle and utterly annihilate the slave army in 71 BC.³⁹

Being the correct age and having held the correct offices, Crassus was eligible to stand for the consulship of 70 BC and would have expected to be elected, having 'saved' the Republic. He also was at the head of a large army in Italy, something that Sulla had clearly tried to avoid in his reforms. Unfortunately for the Senate, the potential for an explosive situation got worse as it was this year (71 BC) that Pompeius emerged triumphant in Spain, over the rebel commander Perperna (who had arranged for the assassination of Sertorius). Pompeius marched his victorious and battle hardened army into Italy ostensibly to assist in the campaign against Spartacus, but also in his desire for a Triumph and harbouring dreams of a consulship, despite his ineligibility under the Sullan constitution. Furthermore, as Appian points out,⁴⁰ neither man dismissed his army, which in Pompeius' case was the third time he had used this tactic (80 and 77 BC).⁴¹ Thus, summer 71 BC saw Sulla's two protégés both in Italy at the head of rival armies, with both manoeuvring for the consulship of 70 BC, with the obvious potential for renewed civil war.

The Rise of the Duumvirate and the end of the Sullan Republic (71–70 BC)

The Senate therefore was faced with two ambitious generals, each at the head of a battle-hardened army and each pushing for the highest office. What happened next was a decisive moment in the history of the Republic. In 88 BC, the two consuls had marched on Rome whilst in both 87 and 77 BC the two consuls had fallen out and one had attacked Rome. In 71 BC, however, the two consular hopefuls both decided that their aims would better be achieved by working together,

rather than against each other. On the one hand this was a watershed moment, the Civil War in the East and Spain had been suppressed and it did not re-ignite in Italy, with the consulship of Pompeius and Crassus arguably marking the end of Rome's First Civil War.⁴² On the other hand, however, it was hardly in the spirit (or even the legislation) of Sulla's vision for the Republic, with Rome's two most powerful politicians colluding to subvert the Republic for their own gains. Thus the year 70 BC seemed to mark an end to the Civil War and saw the rise of a powerful Duumvirate; a temporary alliance of several of Rome's leading men, colluding to manipulate the Republic to their own ends. In many ways this alliance brought more to mind the temporary alliance (Triumvirate) between Marius, Saturninus and Glaucia (see [Chapter Six](#)); powerful Roman politicians allying for a year in office to pass the reforms they wanted.

Thus Pompeius and Crassus, two of Sulla's most promising protégés, stood on a joint ticket. Crassus brought wealth and the support of the equestrian order, Pompeius brought star quality and the support of the People (encouraged with promises of restoring the powers of the tribunate),⁴³ and both men brought battle hardened armies and military victories: Pompeius over Sertorius/Perperna and Crassus over Spartacus.⁴⁴ Given their combined resources, it is hardly surprising to find that both men were elected consuls for 70 BC though Pompeius needed (and was granted) a special dispensation by the Senate, due to his ineligibility in terms of the legal criteria for the office.⁴⁵ Once elected, they used their positions and their powerbase to push through a comprehensive reform programme of their own, which overturned major elements of the Sullan constitution and the Sullan Republic, effectively ushering in another new period of the Republic.⁴⁶

Central to their version of the Republic was the restoration of the offices of the tribunate and the censorship, revised jury composition and the recall of exiles; themes that had been present for at least the previous twenty years. The most obvious reform was that of the tribunate, with the consuls passing legislation to remove the Sullan restrictions on the office's powers of initiating legislation and the limitations on using their veto (*ius intercessio*). Thus the Sullan reforms of the tribunate, which lay at the heart of Sulla's vision of the Republic, were swept away after just over a decade.

Another office which was restored was the censorship, with censors elected that very year (Cn. Cornelius Lentulus Clodianus and L. Gellius

Publicola, the consuls of 72 BC).⁴⁷ As stated above (see [Chapter Nine](#)), we have no explicit surviving testimony that Sulla abolished the censorship, but no censors were elected between 85 and 70 BC (the longest gap between censors in several centuries). The censors immediately set about revising the senatorial membership (with sixty-four senators being removed) and more importantly the citizenship lists, the first time (at least to our limited knowledge) since the admission of the new citizens.⁴⁸ At the end of their censorship, Rome now had 910,000 citizens, up from 463,000 in 86/85 BC. Thus it seems the citizenship question, which lay at the heart of the Civil War for twenty years had been resolved (at least in a theoretical and constitutional sense). The practice of politics in Rome would be another matter.

A third key reform, this time judicial, came not direct from the consuls, but from one of the praetors, L. Aurelius Cotta, though clearly it was sponsored by the consuls themselves. Under Cotta's law, juries were once again transferred from the sole control of the Senate (another Sullan reform) and on this occasion split between three groups: senators, equestrians and the *tribuni aerarii*.⁴⁹ The previous fifty years had seen control of the juries switch between the senators and equestrians on a number of occasions. This time a third group was added: the *tribuni aerarii*, presumably to try to mediate between the other two, making it less antagonistic and denying either side a clear majority. The *tribuni aerarii* was an obscure and antiquated term and there is no consensus on what they represented. Some have argued that it was an ancient financial office, or tribal function, whilst others that it was not an office at all but a class of men determined by wealth. The net effect was that the Sullan reform which had given the Senate control of the courts (albeit with a considerable number of equestrians promoted to the Senate) was overturned, with now no group in sole control.

The fourth area of reform came from a tribune, presumably following the restoration of their powers. A bill by the tribune Plautius restored citizenship to the followers of the consul Lepidus (see above), thus echoing the calls that had been made since 91 BC for those exiled from Rome to be restored. Thus after twenty years of exiling opponents and stripping them of their citizenship, the Assembly made a highly symbolic gesture (applicable to any of the exiled that were still alive) and brought a symbolic end to the twenty-year cycle of civil war violence and exile.⁵⁰ It seems that the tribune Plautius also

wasted no time in issuing an agrarian law, providing land for Pompeius' soldiers who had returned from Spain.⁵¹ Thus the period ended as it had started, with a tribune passing an agrarian law.

Following their year in office, the consuls laid down their power and returned to private life (albeit as members of the Senate) with neither taking up a pro-consular command. The Duumvirate, though only ever an informal alliance, was disbanded and the new post-Sullan Republic was given an opportunity to demonstrate its effectiveness (or not).

Summary

We can see therefore, that Pompeius and Crassus overturned a number of the key measures of the Sullan reform programme and the 'Sullan' Republic. The Senate lost their monopoly over legislation and the judicial process, with the tribunate once more restored to its position as a tool for both the People and elements within the Roman elite to pass legislation. It is unlikely that Pompeius and Crassus had a vision for the Republic, as their former mentor had, other than to restore the key elements of the Republican system to the position they had enjoyed, in order to give them (and their allies) the greatest opportunity for power and advancement. Here we can see the fatal flaw with the Sullan reforms; all power was concentrated in the hands of the Senate and the senatorial aristocracy, who Sulla 'restored' to being the sole guardians of the Republic. Unfortunately the Senate was not a homogenous body or class, but a loose collection of individuals, families and factions, many of whom did not want to be restricted by an archaic set of rules, which they saw as not fit for the 'modern' Rome. Thus the Sullan reforms were removed from within, by the Roman political elite rather than an external force such as the People.

In most respects, the Republic had been returned to the form it occupied in 91 BC with two noticeable differences. Firstly, the citizenship issue had been resolved with most Italian peoples now holding Roman citizenship. The second difference was the violence and bloodshed of the previous two decades of the First Civil War, which had seen tens (if not hundreds) of thousands of Roman and Italians killed by their own countrymen and the systematic slaughter of the Roman elite. Though this bloodshed had abated and the Civil War had ended, its memory lingered: a legacy which could manifest itself in one of two ways, either a desire on the part of the Roman

elites never to go this far again, or an opportunity for certain ambitious members of the Roman elite to threaten or imply a return to these days of slaughter as a means of political leverage. With the constitutional (Sullan) safeguards removed, whether this violence and bloodshed would return was down to the key individuals within the Roman elite and their desire to keep the peace and not resort to non-peaceful means.

In the short term this was successful, as seen by the avoidance of bloodshed in 71 BC, contrasted to the situation in 77 BC where, despite the Sullan reforms, the two consuls used their armies to settle a dispute. The fundamental risk for the Republic was that the ability for Roman politicians to use their armies against each other was only restricted by each commander's own personality and choices. Crassus and Pompeius had been at the heart of the Civil War in the late 80s and chose to work together rather than risk further bloodshed, the consuls of 78 BC had no such qualms. Thus, for now the bloodshed had been quelled, whether this would last was another matter.⁵²

Conclusion

The Failure of a Political System and its Bloody Consequences

Having examined seventy years of Roman politics and bloodletting, what are we to conclude? Firstly, it is clear we must acknowledge that throughout the Republic there were instances of bloodshed and violence resulting from the evolution of the Republican system, but these were mostly confined to the early Republican period (c.509 to c.287 BC). The Republic was founded following a coup by the leading nobles against the ruling dynasty (to whom many were related), which led to a series of counter plots, executions and military attacks on Rome. We have a second coup (by the decemvirs) within sixty years of the Republic's founding and another three murders/executions of Roman politicians accused of wanting to stage another coup, by gaining the support of the Roman People.

Added to this are the three plebeian secessions and the so called 'Struggle of the Orders'. Once this had been resolved, seemingly the most combustive elements of the evolution of the Republic had been removed. In reality, the plebeian elites merged with the patrician order to form a new ruling class of Rome, robbing the People of leadership. The two obvious caveats are that we are missing almost a century's worth of detail on Roman domestic politics (292–218 BC) with the loss of Livy, and the suspicion that the later official versions of Roman history had a tendency to whitewash or play down any political violence (hence the plebeian secessions being bloodless).

The bloodshed and violence which marred the late Republic did have similarities with those three examples of political violence from early Rome (486, 439 and c.384 BC). They were centred on members of Rome's ruling order appealing to the People of Rome who were suffering (or believed to be suffering) from a particular problem (land, hunger, debt) and the seeming indifference of the rest of Rome's elite families. In both periods, certain individuals broke ranks and sought to widen their appeal with the People. Ultimately, we will never know whether Maelius was aiming for a tyranny by helping feed the People of Rome, or whether Tiberius Gracchus had the same aim in 133 BC with his land distribution law. It seems highly unlikely that either man had this in mind, but both had the twin Roman aims of upholding the

res publica whilst earning glory for themselves. The key elements here were not their aims but their methods and how this was viewed by the rest of the Roman ruling collective. In both 439 and 133 BC, the individuals in question broke with *mos maiorum* (the accepted way of doing things) and immediately alarmed their colleagues.

In studying the tribunate of Tiberius Gracchus, the obvious factor is the failure to compromise and then escalation on both sides. Land distribution measures were not new, nor was the use of a tribunician veto. The new, and as it turned out dangerous, element was Tiberius' highlighting of how few constitutional safeguards there were in the Republican system. The people were sovereign and could vote on anything they chose, so the removal of an elected official, the sequestration of state funds and the continued election of a magistrate were all perfectly legal and constitutional. The only constraint on this theoretical power was *mos maiorum* (custom and practice). Once that illusion was broken, then everyone could see the power that could be utilised by holding or manipulating the tribunate and control of the Assemblies. Likewise, with no constitutional safeguards to fall back on, many of the ruling elite believed that all that was left was violence. This led to the death of the scion of one of Rome's most prominent political families and 300 of his supporters, murdered in broad daylight in the very heart of Rome.

Yet although the events of this period were linked, they were not all inevitable. The events of 133 and 123–121 were clearly closely connected by the two Gracchan brothers. Yet whilst Caius was bound to honour his fallen brother, he did not have to meet the same fate. In many ways, Caius' two tribunates were a testament to his political skill with a reform programme unlike anything seen in the Republic. The same could even be said of his opponents who worked out that they did not need to resort to violence but fought 'fire with fire' and used the very tools of Caius – the tribunate, reform laws and the Assembly – against him in the figure of M. Livius Drusus. Thus, the end of 122 BC saw Caius step down from power peacefully and the Roman political system return to normal. It was only in what happened next that events took a turn for the worst. Perhaps overconfident in their success, Gracchus' enemies wanted to dismantle Caius' whole programme. With no access to political office Caius ironically felt that violence was his only recourse, setting both him and his opponents on a path which led not only to his murder but that of over 3,000 others.

We can therefore see that on both occasions, one party felt that they had no political recourse and that violence was the only avenue available. This was compounded by the collective reaction to the violence of each occasion by the Roman state. The murder of a Roman citizen without a trial was illegal under Roman law. Yet in 133 BC Scipio Nasica's action were tacitly condoned by the failure to put him on trial and his soft exile. The Senate went further in 121 BC when they created (or resurrected?) the formal authorization for murdering political enemies with the *senatus consultum ultimum*. Even then Opimius was still put on trial, *senatus consulta* carrying no legal standing, merely moral weight. Opimius' subsequent acquittal however sent a strong message that again murder was now allowable, provided your victim was an 'enemy of the state'.

Again, whilst the violence of 133–120 BC was all interlinked, the death toll did mean that with all prominent Gracchan supporters dead (C. Papirius Carbo being the last) there was no-one to continue to fight this particular cause and thus we see a period of twenty years without bloodshed. The problem for Roman politics was, whilst the Gracchans themselves may have been removed, their lesson had not. The power of the tribunate and the wafer-thin constraints of *mos maiorum* were evident for all to see. Thus, whilst the period 120–101 BC saw no political bloodshed it did see a number of individuals expand the remit of the tribunate and its powers; none more so than C. Marius.

It is often said that newcomers see political systems more clearly than those who had been part of it for generations and this is certainly true in Marius' case. Unlike the Gracchi and their supporters, he did not have the benefit of family political support in the Senate (other than being a client of the Metelli) and his actions (initially at least) were for the clear benefit of himself, hence his use of the tribunate to gain military command of a war Rome was finally winning. With tribunician support he was able to hold five consecutive consulships, allowing him to show off his clear military leadership skills and defeat the invading northern tribes. He also saw the tribunate's potential as a vehicle for military reforms with an, albeit temporary, change to the centuries old recruitment system for Roman armies and their subsequent discharge into a veteran colonisation programme.

Despite his string of consulships and victories, Marius was still an outsider, and lacked the natural powerbase in the Senate especially being opposed by the Metellan party. Thus he continued to use the

methods that had elevated him to power and struck an alliance with an ambitious group of young Roman politicians, led by Saturninus and Glaucia. Studying this alliance, it is difficult to find the more paternalistic concern for the *res publica* that can be detected amongst the Gracchan group. This is hardly surprising given that they had the background and support which would have guaranteed them high office anyway. Had this alliance wanted to continue in power then the Senate would have had little in their armoury to oppose them, especially with Marius as consul and using his military veterans as a political weapon.

Yet Marius already had power, and once he had secured what he wanted from his allies, he cast them aside. Again, with access to legitimate political power being denied to them Saturninus and Glaucia turned to violence, allowing the Senate and Marius the excuse to dispose of them. Once again, the Senate sanctioned the murder of its own citizens, and elected officials, with the passing of the *senatus consultum ultimum*. However, unlike the previous example (121 BC) the stature and power of the man who implemented it (Marius himself) ensured that he was not brought to trial for the murder of Roman citizens.

A period of bloodshed was followed by a period of apparent calm (at least on the surface). The next major political crisis was a perfect example of a ruling elite ignoring a problem and not realizing its potential explosiveness until it was far too late. There are always political situations, which with hindsight make people wonder how the politicians of the time could not see it and did not take action to stop it. However, what may be obvious with hindsight is rarely so clear at the time, and this was the case with the senatorial elite and the issue of Italian citizenship.

This issue had been simmering for generations, with the first reforms proposed in the 120s (125 BC by Flaccus and then 122 BC by Gracchus). Part of the senatorial elite saw the need for reform (to maintain the *res publica* and gain glory for themselves) but for their opponents the reformers were again breaking with *mos maiorum*. Furthermore, the three recent periods of bloodshed must have made a clear association in many senators' minds that a tribune proposing reforms and trying to overturn the established way of doing things was actually more destabilizing to the *res publica* and therefore had to be stopped. Thus Drusus' proposals on Italian citizenship were blocked and many senators must have congratulated themselves on finding a

non-violent method of stopping this and avoiding bloodshed.

On this occasion, however, it was not the defeated opponents amongst the ruling order who turned to violence. Learning from the previous incidents, the group behind Drusus had already lined up further young men as tribunes for the next two years. Presumably their plan was to resurrect the reform legislation the following year and thus they were not denied access to legitimate political power and therefore did not need to turn to violence. In many respects the murder of Livius Drusus himself was almost incidental to the process and this murder does stand out as being more of a personal score-settling, than an act to maintain the *res publica*. Unlike the others the deed was done in private and anonymously and would not have stopped his backers from proposing the legislation the following year.

Unfortunately, both parties displayed the usual Roman arrogance and neglected to consider the people that supposedly lay at the very heart of this political dispute: the Italians themselves. Thus, like many political elites they were so wrapped up in their own bubble (in their capital city) they did not consider how all of this would look to the wider country. Many Italian communities had seen their hopes of reform dashed and for many this was the last straw. Thus, the pattern of the previous incidents was repeated but with a terrifying escalation. Believing themselves denied access to legitimate political means and seeing no other avenue for getting the change they wanted, they turned to violence on a country-wide scale and thus plunged Rome into its First Civil War; a war brought about by the failure of politicians to listen to legitimate political grievances and the paralysis that lay at the heart of a political system dominated by an elite.

It is remarkable that the Roman elite actually managed to make a bad situation even worse. At first the Roman response was an insular one, with the Roman elites turning on each other with a political witch-hunt in the form of the Varian Trials (headed by another tribune). Once they had overcome their shock at the situation that they had markedly failed to prevent, the senatorial response was actually remarkably effective. A political settlement, offering Roman citizenship to any Italians who had not rebelled, stemmed the tide of defections and maintained a formidable manpower base for Rome in Italy.

This, combined with resources from their empire, allowed them to field multiple armies and divide and conquer the Italian rebels. It is equally remarkable the speed with which the Roman political elite did

a volte-face. Vociferous opponents of Italian citizenship became staunch advocates or at least passive adherents. The Senate, the majority of which had the year previously opposed this measure now became the champion of Italian citizenship. Thus, through a swift and pragmatic combination of political reform and military competence within two years, Rome was able to win a war which had the potential to destroy the whole Roman state.

Yet, with the upper hand came the familiar Roman elite arrogance and complacency. At the height of the war, the senatorial elite were apparently enthusiastic supporters of Italian citizenship, but the devil was in the detail and it soon became apparent that there was a sting in the tail. All new citizens (ultimately some half a million in the short term) found themselves confined to ten new tribes (numbers thirty-six to forty-five) which despite their numerical superiority to the old citizens (the original thirty-five tribes) minimized their impact politically.

In many ways this was understandable, as it made the extension of the citizenship franchise more palatable and ultimately acceptable to the existing vested interests, most notably the politicians who opposed it on principle and the existing citizens who did not want to share the benefits of being Roman. Furthermore, the vast majority of the new citizens would not care what tribe they were in for voting purposes, as they would never have the intention of voting in Rome anyway. Far more important to them would be the legal equality they would receive in the eyes of Roman law and any economic benefits. Yet whilst this covered the majority of the new citizens, there were two points the Senate overlooked. Firstly, those well off enough to want to vote at Rome and take part in the political process would be aggrieved; but more importantly it allowed the political narrative to develop that the Senate was still discriminating against the Italians, by making them second-class Roman citizens with fewer rights than the old citizens.

Again, it must be stressed that this did not necessarily mean that what happened next was inevitable. Once again events initially centred on a tribune, but escalated in ways which no one would have expected. With the Civil War against the Italians all but won, the rump of the political group which had backed Livius Drusus emerged, centred on the figure of P. Sulpicius. His alliance had backed Roman citizenship for the Italians but rather than being seen as being vindicated when the Italians rebelled, bore the brunt of the political

witch-hunt that followed, with a number of them exiled. Sulpicius stood for and won the tribunate on a policy of recalling the exiles and full equality for the new citizens. Naturally enough, in the name of maintaining the *res publica*, the consuls opposed him. Roman politics then took a familiar path when Sulpicius and his supporters refused to accept the consuls suspending public business and turned to violence.

On this occasion, the tribunes had the upper hand and the consuls were forced to flee, with the son of one of them being murdered. Realizing that the consuls would inevitably return and move against him possibly with the backing of the *senatus consultum ultimum*, Sulpicius turned to the only other source of power in Rome, the now retired C. Marius. With Marius' political backing and ability to raise an armed force, Sulpicius must have assumed that he would be safe. In the short term, his assumption was correct and he was able to pass his legislation with his and Marius' control of the Assemblies. Once again this alliance went too far and by stripping Sulla of his military command, yet again a political opponent was forced into a situation where he felt he had no legitimate political channel open to him and thus his only recourse was violence.

This does not justify Sulla's action in marching a Roman army against Rome. Yet in both 121 and 100 BC, the Senate had called on a consul to use force to save the Roman state from a tribune using violence to control the Assembly. The situation in 88 BC did fit these criteria but with one major exception: the Senate never justified the consuls' actions beforehand. As all but one of Sulla's officers realized, even though the situation was similar to that of 121 and 100 BC, the Senate had not authorized the consul to take action, let alone march the army into the city and one of the men they would be facing was the hero of Rome, C. Marius. Modern history has provided us with the famous quote 'treason is just a matter of dates' and this applies to the situation in 88 BC. Sulla (and Pompeius Rufus) must have realized that if they could get the Senate to ratify their actions after the event then it would not be treason and so they took the fatal step of marching a Roman army into Rome to settle a political dispute. We can see the logical escalation here, but then the next logical step was that if two consuls could co-operate and use a Roman army in a political dispute to maintain the *res publica*, then two consuls who opposed each other could use antagonistic armies, which is exactly what happened the following year.

Even before the year was out, Cn. Pompeius Strabo showed that he

had learnt the lesson of Sulla's and Pompeius Rufus' actions, namely that 'might was right'. In this vein, he seemingly had no compunction about having Pompeius Rufus murdered, without any pretence of him being an enemy of the state and thus remaining in command of the largest army in Italy. It is clear that the consuls of 87 BC did not have the *res publica* in mind when they split on the matter of the distribution of new citizens. The key escalation here is that the political violence and destabilization came from the consuls themselves and not the tribunes. In 121, 100 and 88 BC, political violence was quashed by the consuls, but now it was the very consuls themselves who were responsible, which meant that there was no higher authority to turn to, to stabilize the situation. Again, both men (Octavius and Cinna) had learned Sulla's lesson well; no matter what they did, if they had control of the Senate their actions would be legally justified (after the fact).

Thus, in the name of restoring the *res publica*, the consul Cinna went to war with the consul Octavius and laid siege to Rome. Having taken control of Rome through force, Cinna (and Marius) then escalated matters further than Sulla had dared. In 88 BC Sulla had the Senate declare Marius, Sulpicius and ten of their supporters as *hostes*, or enemies of the state, which gave him the moral justification to hunt them down and kill them, though this was still illegal under Roman law. Yet by 87 BC, Marius and Cinna did away with this window dressing and just engaged in a wholesale massacre of their political enemies. Clearly their enemies were the enemies of the state.

The years that followed saw a tyranny in Rome (in all but name). With military control of Rome and Italy, Cinna was elected/selected as consul each year, along with his partner of choice. His murder in 84 BC created instability in Italy which Sulla could exploit. Again, what Sulla did, in invading Italy and fighting Roman armies, did not matter if he could secure the control of Rome and the Senate. Thus, having won military control of Italy and Rome, Sulla did indeed have the Senate rescind his *hostis* status and ratify all his past actions as legal. However, there was one man who seemed to place the *res publica* ahead of his own political success: C. Valerius Flaccus, who held Rome's western empire together whilst Marius, Sulla, Cinna and Carbo did their best to destroy it. Not only did he not take sides, but he chose to return to Rome and re-unify Rome's empire peacefully rather than challenge Sulla (after much negotiation, we must assume).

With military control of the Republic, Sulla clearly felt that the

system needed reforming if it were to survive and to that end he passed a range of constitutional changes, concentrating all power in the hands of the senatorial elite, the very people that had spent the last fifty years in division and infighting. Whilst Rome would not bear a tyrant in the long term, clearly it needed a guiding hand to ensure peace and stability and the *res publica*, at least until it became embedded. Sulla's death robbed the new Republic of that guiding hand and within the year, the two consuls had once again fallen out, this time over the Sullan reforms and turned to their armies. On this occasion, the defending consul was victorious but the instability remained, with the Civil War being fought in both the west (in Spain) and the east (in Asia Minor). The rest of the 70s BC saw peace being maintained within Rome at least, and changes to the Sullan settlement were made peacefully in 75 BC.

The year 70 BC marked a watershed in this period of the Republic and this process of violence and bloodshed. The Civil War in Spain and Asia had ended militarily, but more importantly, the two leading military commanders of their day (Cn. Pompeius and M. Licinius Crassus) both made a conscious choice to respect the *res publica* and rather than take arms against each other, or even against their own city, did not turn to violence either before or during their consulship. This is not to accuse either man of acting altruistically, as both used their combined powerbases and the threat of a return to military force to gain the consulship for themselves and overturn the Sullan constitutional settlement. Nevertheless, it is interesting to note that unlike the previous generation of Roman politicians, these two men had grown up in the two decades of the Civil War, and both had lost their fathers to it (both in 87 BC coincidentally). Thus the *res publica* was restored, violence was laid aside and Rome seemingly stepped back from the brink. Whether this was a genuine turning point or merely a pause in the cycle of political bloodshed remained to be seen.

This will be examined in the forthcoming *Rome: Blood and Power. Reform, Murder and Popular Politics in the Late Republic 70–27 BC*.

The Butcher's Bill: Murdered Roman Politicians (133–70 BC)

133	Ti. Sempronius Gracchus	(Tr. 133)	Murdered in Rome whilst standing for re-election to the tribunate.
			300 Gracchan supporters
			The figure given for the number of Gracchan supporters killed in the Forum along with him.
132	C. Villius		A Gracchan supporter who was executed in the aftermath of the death of Tiberius.
	P. Cornelius Scipio Nasica Serapio	(Cos. 138)	Died in suspicious circumstances soon after leaving Rome for a position in Asia Minor.
129	P. Cornelius Scipio Aemilianus 'Africanus'	(Cos. 147 and 134)	Possibly poisoned by his wife (Sempronia), sister of the Gracchi just before a court case involving the Gracchan agrarian commission.
121	Q. Antyllus		

Possibly a consular herald, he was murdered by a group of Gracchan supporters in the Forum.

C. Sempronius Gracchus (Tr. 123 and 122)

Murdered by the forces of the consul Opimius or committed suicide prior to capture.

M. Fulvius Flaccus (Cos. 125, Tr. 122)

Murdered in Rome (after surrendering) by the forces of the consul Opimius.

M. Fulvius Flaccus

Eldest son of the above, he was murdered with his father.

Q. Fulvius Flaccus

Youngest son of the former consul, he was murdered by the consul Opimius having been arrested.

Pomponius

Licinius/Laetorius

Friends of Gracchus, who died fighting the forces of the consul Opimius.

250 Gracchan supporters

The figure given for the number of Gracchan supporters killed in the battle on the Aventine Hill.

3,000 Gracchan supporters

According to some sources, the consul Opimius executed 3,000 of Gracchus' supporters.

119 C. Papirius Carbo (Tr. 131, Cos. 120)

Charged with treason but took poison rather than face trial.

101 A. Nunnius/Nonnius (Tr. 100)

A tribune elect, he was murdered by a group of Saturninus' supporters.

100 Memmius

A candidate for the consulship of 99 BC, he was murdered by a group of Saturninus' supporters.

L. Appuleius Saturninus (Tr. 103, 100, 99)

Murdered in the Senate House by an angry mob after being arrested by Marius.

C. Servilius Glaucia (Pr. 103?, 101)

Murdered by an anti-Saturninus

mob having fled the fighting in the Forum.

C. Saufeius (Q. 99)

Murdered in the Senate House by an angry mob after being arrested by Marius.

L. Equitius (Tr. 99)

Murdered in the Senate House by an angry mob after being arrested by Marius.

Labienus

Murdered in the Senate House by an angry mob after being arrested by Marius.

Cn. Dolabella

Saturninus' brother-in-law, he too was murdered along with Saturninus.

L. Giganus

Murdered along with Saturninus.

Lynched by a mob when being put on trial for vetoing the recall of Metellus Numidicus in 100 BC.

Allegedly poisoned by (Cos. 109, Cens. 102)
Q. Varius.

91

L. Licinius Crassus (Cos. 95)

A prominent supporter of Livius Drusus, he died of supposedly natural causes during a key senatorial debate.

M. Livius Drusus (Tr. 91)

Murdered at night by an unknown assailant, following the overturning of his reforms.

89

Sempronius Asellio (Pr. 89)

The Urban Praetor, he was murdered in Rome by mob, stirred up by the tribune L. Cassius over the issue of debt.

88

Pompeius Rufus

Son of the consul Pompeius, son-in-law of Sulla, he was murdered during the riots over the Sulpician legislation.

P. Sulpicius (Tr. 88)

Murdered by the forces of the consuls Sulla and Pompeius Rufus.

M. Gratidius

The legate of Marius sent to take command of Sulla's army; he was murdered when they mutinied against the change of command.

Q. Pompeius Rufus (Cos. 88)

Murdered when attempting to assume command of the army of Pompeius Strabo.

87

Cn. Octavius (Cos. 87)

One of the serving consuls, he was murdered by the soldiers of Cinna and Marius when they stormed Rome.

L. Cornelius Merula (Cos. 87)

One of the serving consuls, he committed suicide when Cinna and Marius stormed Rome.

P. Licinius Crassus (Cos. 97)

One of the leaders of the senatorial forces, he was murdered by the soldiers of Cinna and Marius when they stormed Rome.

P. Licinius Crassus

Son of the above, he was murdered alongside his father.

C. Milonius

Killed during the siege of Rome.

M. Antonius (Cos. 99)

He was murdered by the soldiers of Cinna and Marius after they captured Rome.

Q. Lutatius Catulus (Cos. 102)

A former Consular colleague of Marius, he committed suicide when Cinna and Marius captured Rome.

L. Iulius Caesar (Cos. 90)

He was murdered by the soldiers of Cinna and Marius after they captured Rome.

C. Iulius Caesar Strabo (Aed. 90)

He was murdered by the soldiers of Cinna and Marius after they captured Rome.

Q. Ancharius (Pr. 88)

He was murdered by Marius' bodyguard following the capture of Rome.

Atilius Serranus

Fimbria

P. Lentulus

C. Nemetorius/Numitorius

M. Baebius

All murdered during the slaughter that followed the capture of Rome by Marius and Cinna.

86

Sex. Lucilius/Licinius (Tr. 87)

Murdered by P. Popillius Laenas (one of the tribunes of 86) who threw him from the Tarpeian Rock.

Two unnamed tribunes (Tr. 87)

Murdered by C. Marius (Jnr); one beheaded, the other thrown from the Tarpeian Rock.

86

L. Valerius Flaccus (Cos. 86)

Killed in a mutiny led by his deputy (C. Flavius Fimbria).

85

C. Flavius Fimbria

Committed suicide to avoid capture when his army mutinied to join Sulla.

84

L. Cornelius Cinna (Cos. 87, 86, 85, 84)

Rome's first tyrant, he was murdered during a mutiny of his troops.

82

Q. Mucius Scaevola (Cos. 95, PM. 89-82)

The serving Pontifex Maximus, he was murdered in Rome on the orders of C. Marius for being a suspected Sullan sympathizer.

C. Papirius Carbo (Tr. 90, Pr. 83)
Arvina

He was murdered in Rome on the orders of C. Marius for being a suspected Sullan sympathizer.

L. Domitius (Ahenobarbus)

He was murdered in Rome on the orders of C. Marius for being a suspected Sullan sympathizer.

P. Antistius (Tr. 88, Aed. 86)

He was murdered in Rome on the orders of C. Marius for being a suspected Sullan sympathizer.

C. Carrinas (Pr. 82)

He was murdered following the Battle of Colline Gate on the orders of Sulla.

L. Iunius Brutus (Pr. 82)

Damasippus

He was murdered following the Battle of Colline Gate on the orders of Sulla.

C. Marius (Cos. 83)

One of the consuls, he committed suicide to avoid capture at the siege of Preaneste.

Q. Antonius Balbus (Pr. 82)

Killed by L. Philippus following the fall of Sardinia.

Cn. Papirius Carbo (Cos. 85, 84, 82)

One of the consuls, he was murdered by Cn. Pompeius following the capture of Sicily.

81

Cn. Domitius Ahenobarbus

Killed in battle in North Africa fighting Pompeius.

M. Marius Gratidianus (Pr. 85)

Murdered by L. Sergius Catilina as part of Sulla's proscriptions.

Q. Aurelius (? Lollius)

Baebius

Cn. Decidius

Fidustius

Lucretius

Venuleius

All named in our surviving sources as murdered during the Sullan proscriptions.¹

Q. Caecilius

M. Plaetorius

L. Tanusius

M. Volumnius

Murdered by L. Sergius Catilina as part of Sullan proscriptions.

Q. Lucretius Ofella

Murdered on the orders of Sulla when he stood in the consular elections for 80 BC.

M. Iunius Brutus

Murdered on the orders of Pompeius following his capture at Mutina.

Cornelius Scipio

Murdered on the orders of Pompeius following his capture at Alba.

73

M. Marius

Murdered on the orders of Lucullus following his capture at the Battle of Tenedeos.

Q. Sertorius

Murdered in Spain, in a coup instigated by his deputy, M. Perperna.

72

M. Perperna

(Pr. 82)

Murdered on the orders of Pompeius following his capture in Spain.

72/71

M. Antonius

L. Fabius Hispaniensis

Manlius

Octavius Graecinus

C. Tarquitius Priscus

The conspirators who murdered Sertorius were themselves murdered, either by Pompeius or Sertorius' supporters.

Appendix Two

Who were the Tribunes?

Tribunician Fasti

Determining just who held the tribunate in the Roman Republic is not as easy as it may sound. Unlike the holders of the consulship there is no surviving list from antiquity (though several existed) and so the holders must be compiled from a trawl through the surviving sources. Furthermore, unlike the holders of the consulship, there are a number of occasions where the sources are ambiguous over what office a particular Roman politician was holding and so there is no certain attestation that they were indeed a tribune. We have a number of men attested as holding the tribunate, but their year of office is uncertain and a number of references to tribunes and their activities, but not their identity. Thus we have the following categories:

- Named and attested to a year
- Unnamed and attested to a year
- Named and unattested to a year
- Possible tribunes

In a number of cases, whether a person was a tribune or what year he held the office is a matter of individual analysis, which means that each person looking at it can come to a different conclusion or even change their mind over time. To date, there have been seven works identifying and listing the various holders of the tribunate from 1599 to 2005 and their results are below:

Author	Strongly attested	Uncertain date	Total number	% Total of all
Pighius ¹	452	122	574	13.0
Garofalo ²	407	-	407	9.2
Ziegler ³	81	-	81	-

Pais ⁴	462	-	462	10.5
Niccolini ⁵	456	93	549	12.5
Broughton ⁶	490	53	543	12.3
Sampson ⁷	493	93	586	13.3

The Tribunes 146–70 BC

The list below is an amended one based on the 2005 listing and details all the attested, anonymous and possible tribunes from 146 to 70 BC.⁸

149–123	M. Iunius	
146	Livius Anonymus – multiple	
Post-146	C. Fannius	(Cos 122)
145	C. Licinius Crassus	
143	Anonymous – multiple	
c.142	C. Fannius ⁹	(Cos. 122)
141	P. Mucius Scaevola	(Cos. 133)
140	Ti. Claudius Asellus	
139	A. Gabinius	
138	C. Curiatius S. Licinius Anonymous – single	
137	M. Antius Briso	

	L. Cassius Longinus (Cos. 127) Ravilla
136	P. Rutilius
135	Anonymous – multiple
Pre-133	Q. Aelius Tubero
133	Ti. Sempronius (Killed in office) Gracchus M. Octavius P. Satureius Rubrius Minucius (Augurinus)/ Mucius/Mummius Anonymous – multiple
	<i>L. Rufus (Possible)</i>
132	Anonymous – multiple
131	C. Atinius Labeo Macerio
	C. Papirius Carbo (Cos. 120) Anonymous – single
c. 130	<i>Cn. Papirius Carbo (Possible)</i>
126	M. Iunius Pennus
Pre-125	<i>M. Fulvius Flaccus (Possible) (Cos. 125)</i>
123	C. Sempronius Gracchus Aufeius (C.) Rubrius
122	C. Sempronius Gracchus (2)

	M. Fulvius Flaccus (2?) (Cos. 125)	
	M. Livius Drusus M. Acilius Glabrio Cn. Marcius Censorinus	(Cos. 112)
c. 122	<i>Q. Aelius Tubero</i>	<i>(Possible)</i>
Post-122	C. Licinius Nerva	
121	L. Calpurnius Bestia	(Cos. 111)
	Minucius Rufus Anonymous – multiple	(Cos. 110?)
c. 121	<i>Maevius</i>	<i>(Possible)</i>
120	P / Q. Decius (Subulo)	(Pr. 115?)
	P / Q. Decius (Subulo)	(Possible)
Post-120	Sp. Thorius/Sp. Borius	
Post-Thorius	Anonymous – single	
119	C. Marius Anonymous – multiple	(Cos. 107, 104-100, 86)
113	Sex. Peducaeus	
Pre-111	M. Baebius	
111	C. Baebius C. Memmius Anonymous – multiple	

111/110	Anonymous – multiple	
110	L. Annius P. Licinius Lucullus Anonymous – multiple	
109	C. Mamilius Limetanus Anonymous – multiple	
108	Anonymous – multiple	
107	L. Licinius Crassus T Manlius Mancinus	(Cos. 95)
107/106	C. Coelius Caldus	(Cos. 94)
106	Q. Mucius Scaevola	(Cos. 95)
c.106	C. Manlius	
105	Anonymous – multiple	
104	L. Cassius Longinus	
	L. Marcius Philippus	(Cos. 91)
	<i>Cn. Pompeius Strabo</i>	<i>(Possible) (Cos. 89)</i>
c.104	<i>Clodius</i>	<i>(Possible)</i>
104/103	Cn. Domitius Ahenobarbus	(Cos. 96)
104/101	<i>C. Servilius Glaucia</i>	<i>(Possible) (Pr. 103, 100?)</i>

103	L. Appuleius Saturninus Baebius	
	T. Didius	(Cos. 98)
	C. Norbanus L. (Antistius) Reginus	(Cos.83?)
	L. (Aurelius) Cotta Anonymous – multiple	(Pr. Pre-91?)
102	A. Pompeius Anonymous – single	(Died in office)
102/101	Anonymous – single	
102-98	M. Duronius	
100	L. Appuleius Saturninus (2) L. Furius	
	Pompeius (Q. Pompeius Rufus?) Cato (M. Porcius Cato)	(Cos. 88)
	A. Nonius Anonymous – multiple	(Killed before taking office)
99	L. Appuleius Saturninus (3)	
	L. Equitius Sex. Titius Anonymous – multiple	(Killed before taking office)
98	C. Appuleius Decianus	

	Q. Calidius C. Canuleius Anonymous – multiple	(Pr. 79)
90s	T. Iunius Porcius P. Servilius L. Sestius Cornelius	
	<i>M. Octavius</i>	<i>(Possible)</i>
	<i>C. Velleius</i>	<i>(Possible)</i>
c.92	Cn. Papirius Carbo	(Cos. 85)
c.92	<i>Minucius</i>	<i>(Possible)</i>
pre-91	Saufeijs	
91	M. Livius Drusus Anonymous – multiple	(Killed in Office)
91/89	L. Memmius	
91/90	<i>L. Calpurnius Piso</i>	<i>(Possible) (Pr. 74)</i>
91/90	<i>L. Fufius</i>	<i>(Possible)</i>
90	Q. Varius Severus Hybrida Q. Caecilius Metellus Celer C. Papirius Carbo Arvina Cn. Pomponius	
	C. Scribonius Curio Anonymous – multiple	(Cos. 76)
	<i>C. Aurelius Cotta</i>	<i>(Cos. 76) (Possible)</i>

89	L. Cassius	
	C. Papirius Carbo M. (Pr. 81)	
	Plautius Silvanus	
	Anonymous – multiple	
88	P. Sulpicius P. Antistius (Killed in office)	
	Anonymous – multiple	
	<i>Albinovanus</i>	<i>(Possible)</i>
87	Caelius Sex. Lucilius/ Licinius P. Magius M. Vergilius/Virginus	
	Anonymous – multiple	
	M. Marius Gratidianus	<i>(Possible)</i>
	C. Milonius	<i>(Possible)</i>
86	P. Popillius Laenas	
	Anonymous – multiple	
	<i>C. Marius</i>	<i>(Cos. 82) (Possible)</i>
	<i>C. Flavius Fimbria</i>	<i>(Possible)</i>
	<i>Q. Sertorius</i>	<i>(Possible)</i>
85	Anonymous – multiple	
84	Anonymous – multiple	
83	M. Iunius Brutus	

82	Q. Valerius Soranus	
81-79	C. Herennius	
80s	M. Terentius Varro	
pre-80	Remmius	
78	Anonymous – multiple	
c.78	<i>M. Acilius Glabrio</i>	<i>(Possible)</i>
77	M. Terpolius	
76	Cn./L. Sicinius Anonymous – multiple	
75	Q. Opimius	
74	L. Quinctius/Quintus	(Pr. 68/67)
	<i>(Cornelius) Cethegus</i>	<i>(Possible)</i>
74-67 ¹⁰	Q. (Caecilius) Metellus Q. Caelius Latiniensis Cn. (Cornelius) Lentulus C. Falcidius	
73	C. Licinius Macer	(Pr. 68?)
72/68 ¹¹	C. Antius	
	C. Antonius	(Cos. 63)
	Q. Caecilius (Metellus) Cn. Cornelius	(Cos. 60)

(Lentulus) C.
Fundanius L. Hostilius
Q. Marcius C. Popillius
M. Valerius L.
V[olcatius]

- 71 M. Lollius Palicanus (Pr. 69?)
Anonymous – multiple
- 70 *Plautius / Plotius* (Possible)
Anonymous – single

Progression and Background

12

Central to the role of the tribunate in the Roman Republic is the question of what type of men held the office. All too often it is assumed that the office was dominated by the senatorial elites, especially given their high-profile role in the events of the late Republic. Yet the office was technically open to all of the plebeian order, not just aristocrats, and there were ten places available each year. Furthermore, the burden of office-holding did not seem to be a heavy one, especially as the tribunes were restricted from leaving the city of Rome overnight for a whole year. If we are to determine what type of man held the office, we must look at the career progression of the tribunes and their family background.

Career Progression: Consulship

The information pertaining to the career progression of the attested tribunes is primarily based on the consular *fasti* (the most complete record of magistrates we possess). We also have an incomplete praetorian listing which we can use.¹³ This data allows us not only to chart a tribune's career progression, but also the backgrounds of the ancestors of these men. Shatzman conducted a survey of tribunes' progression through the *cursus honorum*, but had to restrict himself to the period 217–182 BC, for which we have a complete Livian record.¹⁴

For cases of tribunes attaining the consulship, we have details of sixty-two tribunes, out of 368 attested ones (in the period following 367 BC)¹⁵ who progressed on to the consulship. This works out at seventeen per cent, or two out of every ten tribunes, going on to attain

the consulship. We must acknowledge the caveat that these statistics only hold good for our limited sample and that we have better records for the consulship than we do the tribunate, especially in the fourth and second centuries.

Nevertheless, the breakdowns by century are also quite revealing.

Attested tribunes only	368 tribunes	%		
Fourth century (after 367)	23 tribunes	6 consuls	26%	(26.09)
Third century	40 tribunes	10 consuls	24%	(25.00)
Second century	112 tribunes	25 consuls	23%	(22.32)
First century	191 tribunes	19 consuls	10%	(9.95)

Undated to a
century

Throughout the four centuries, we have over twenty per cent of our attested tribunes attaining the consulship, apart from the first century when the figure drops to around ten per cent. This drop coincides with a rise in the number of attested tribunes. In addition, the first century is our best, in terms of percentage of attested tribunes, with just under one in four tribunes known to us (24.8 per cent). Thus, in our most representative century, only one in ten tribunes achieved the consulship.

Family Background

These figures however contain a serious anomaly, as they only represent individuals, and not a tribune's family background. To gain a more accurate picture, we need to include those men who held the tribunate who came from consular families. This does not simply involve working out which families held both the consulship and the tribunate. As the figures below reveal, there is a considerable number

of tribunes who came from families that had never attained high office, yet gained the consulship themselves, especially during the late Republic. Therefore, to properly assess an individual tribune's background, we need to see what status his family had at the time of his election to the tribunate.

In total, we have eighty-two families recorded (after 367 BC), who provide both tribunes and consuls, which total 164 tribunes. However, before we can proceed, there is one crucial point that must be discussed. This information can be presented and analysed in two different ways, depending upon what one is trying to prove.

Firstly, all these families can be used to show that over forty per cent of all our known tribunes came from consular backgrounds. The figure is based on 164 tribunes from consular families, out of a total of 390 tribunes,¹⁶ which works out at 42 per cent.¹⁷ This would mean an average of four out of every ten tribunes each year, and that is without those who attained praetorian status. Taken at face value, this evidence would support the view that the tribunate was dominated by men from the elite stratum of the plebeian body.

However, this method of simply looking at which families had both tribunes and consuls completely ignores any notion of evolution in terms of a family's status, and ignores the chronology of a family's progress through the *cursus honorum*. The best example is perhaps C. Marius, a tribune in 119 BC. A brief prosopographical search would lead to the conclusion that the Marii provided three tribunes and eight consulships. Unfortunately, when C. Marius himself was tribune, the Marii were an abjectly obscure family. In contrast, the Marii who attained the tribunate in the first century now came from one of the leading families of Rome, which was a consular one. Thus the problem is laid bare. In reference to our discussions earlier on the status of the plebeian families, we can use the magisterial listings to see the evolution of families between the groups, and it must be noted that this evolution of family status was a key part of the Republican system.

A second and more obscure example involves the Titius family, who provided seven attested tribunes in the period 462 to 43 BC. However, they only gained the consulship in 31 BC. Does that make all seven Titii tribunes of consular status? The answer is clearly no. This problem is exacerbated in the first century by the rapid promotion of long-standing lesser families to consulships and praetorships brought about by civil wars and the rise of the great

oligarchic figures who promoted their adherents to positions of power. This can be seen in the number of recorded first consulships, such as the Titii.

The second way of looking at the backgrounds of these families is to sort them by what status their family possessed at the time of their election. Thus, the three Marian Tribunes would be split 1: 2, between the non-elite / elite families. This is a fairer reflection of the true status of these men when they were elected tribune. For the purpose of this study, this is more important than what they did after their tribunate. This second method will be the more accurate of the two.

We can see that although we have 164 tribunes in total, only eighty-six of them came from consular families at the time of their election to the tribunate. This works out at 21 per cent of our known tribunes,¹⁸ or two out of every ten. In other words, when they held the tribunate, they represented the elite stratum of the plebeian families, those who ancestors had already been consul and who occupied a prominent place amongst the senatorial elite.

Before we can say what backgrounds the other seventy-eight hailed from, we must conduct the same exercise for the praetorship. This task is made more difficult by the fact that, unlike the consulship, we do not possess a complete praetorian *fasti*.¹⁹ We have fifty-two tribunes who hail from praetorian families in total, but only thirteen of these entered the tribunate from families that had already achieved that status, and therefore formed part of the elite stratum of the plebeian families, albeit one rung below those who hailed from consular families.

We can therefore combine the results of the two analyses as thus:

86	tribunes came from consular families.	22%
13	tribunes came from praetorian families.	3%
99		25%

The figures show that ninety-nine (out of 390) known tribunes came from families that had already held one of Rome's two highest political offices. Therefore, we can say that on average (based on our limited sample of 390 after 367 BC) between two to three tribunes

each year hailed from the elite stratum of the plebeian body (families who had already achieved the consulship or the praetorship).

Therefore the figures initially look as follows:

Tribunes from elite plebeian families (at time of election)	99
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Tribunes from non-elite plebeian families (at time of election)	291
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However, out of these 291 tribunes, 117 came from families that went on to gain either the consulship (seventy-eight of them), or the praetorship (thirty-nine of them). Taken from the point of an overview, we can say that these men come from families that later achieved high office, and therefore represent the middling order of the plebeian families, that we came across earlier (above). They represent 30 per cent of our total or three tribunes out of every ten. Thus, on the limited data we have, five out of every ten tribunes (55 per cent) hailed from a family that either had achieved high office (consul or praetor), or would achieve high office.

Thus, on average, the evidence we possess indicates that an average college of ten tribunes would be split 2/4/4. There would be two tribunes from the noble plebeian families, whose ancestors had held the consulship or praetorship. There would be three to four tribunes from the middling plebeian families, who hailed from the lower ranks of the *cursus honorum*. The rest, either four or five (the figure is 45 per cent), came from the lower orders of the plebeian body.

This split is, of course, based on a 13 per cent sample and is a generalization for the Republican period as a whole. Nevertheless, it does provide us with a working model for the day-to-day operation of the tribunate, in terms of its holders. If nothing else, it shows that an average Tribunician College would contain at least three distinct groups of men with differing backgrounds, careers and aspirations and that would affect the running of the office and the group dynamic.

Lesser Tribunes and Lesser Legislation

We are still left with the question of the background of the 45 per cent of tribunes who came from families which had never achieved high office. Naturally, a number of them would have held lesser offices on

the *cursus honorum*, though any attempt to quantify this would be meaningless, given the poor level of data for holders of the quaestorship, or aedileship. Nevertheless, given our earlier model, we must not assume that they all held lower offices on the *cursus honorum*; a number may never have held offices of state. This group of men can be categorized as ‘lesser tribunes’; men for whom the tribunate was the pinnacle of a plebeian political career, which may well have included a number who were elected for specific tasks or representing specific groups of the population or guilds. These lesser tribunes may well have passed lesser legislation: laws concerned with trivial, everyday matters, such as the *lex Metilia* on the fulling industry (noted above). These laws reveal that a large amount of tribunician legislation is concerned with the mundane details of life, rather than senatorial politics. We can break these laws down into the following categories:

Betting	<i>lex Publicia, lex Titia</i> (1).
Fraud (minors)	<i>lex Plaetoria</i> .
Guarantors and sureties	<i>lex Appuleia, lex Ciceria, lex Creperia, lex Furia</i> (1), <i>lex Publilia, lex Vallia</i> .
Industry	<i>lex Metilia</i> (220 BC).
Loss and compensation	<i>lex Aquilia</i> (c.286 BC), <i>lex Ollinia, lex Furia</i> (2).
Moneylending	<i>lex Iunia, lex Marcia</i> .
Personal actions	<i>lex Silia</i> .
Theft and restoration of goods	<i>lex Atinia</i> (2), <i>lex Hostilia</i> .
Wills and guardians	<i>lex Atilia, lex Glitia, lex Falcidia</i> (41 BC), <i>lex Papia, lex Titia</i> (4).

Water supply

lex Sulpicia.

Whilst it is possible that some or all of these laws were passed at the behest of the senatorial elite, all of them are issues that would affect the everyday urban plebeian, especially those involved in any financial transactions. It is therefore entirely possible that these laws were enacted by the tribunes in response to popular demand within the plebeian body of Rome. If a proportion of the tribunes were drawn from the common plebeian families, then their awareness of popular problems would have been enhanced. Laws on guarantors and sureties would have been of benefit to those looking to raise finance for business, as would laws on theft and losses. Wills and guardians would have been a major issue in periods of sustained conflict, especially in the civil wars.

This cross-fertilization of ideas between lesser tribunes and their more noble counterparts could have led to a number of laws being passed by both categories of tribune that affected everyday issues. It is not simply a case of lesser tribunes passing all lesser legislation, as many tribunes from the aristocratic families could see the potential for lower-level legislation that appealed to the masses and ensured popularity in the process. Such a social and intellectual combination of lesser tribunes making their more noble counterparts aware of the more localized problems adds an interesting dimension to Roman politics.

Thus it is possible to see the Tribunate as being an office closer to the average Plebeian than is normally thought. We can see a wide range of measures that would have benefitted the urban Plebeians of Rome, and as Roman citizenship expanded; the Plebeians of Italy. Naturally, there would have been a closer affiliation between the urban plebeians of Rome and the Tribunate, given the limitations on the office, its original role, and the close proximity of the two. That is probably why most of these seem to fit trade and commerce, rather than agriculture.

Thus the dual nature of the tribunate gave the office a far closer link to the common plebeians of Rome than any of the other magistracies. Through their duty of sorting out common plebeians' problems (we have two second century examples of prostitutes coming to a tribune with issues) and the chance to pass low-level legislation, the tribunate maintained a far less aloof status than the other magistrates of Rome. This is not to say that this makes Rome a democracy, but we can see that the tribunate formed a link or conduit

between the ruling order and the common people, both by interaction with common plebeians and, more importantly, by having to share the office with plebeians from common, non-senatorial backgrounds. How, if at all, this affected the tribunes from Senatorial backgrounds is impossible to tell. Certainly, some would have written the experience off as a necessary and not to be repeated exercise, but others would have learnt from it and would be better placed to at least pay lip service to the issues that affected the common plebeians of Rome.

Thus we can see that there is evidence that the picture of the tribunate as a one-dimensional aristocratic office which paid lip service to the common plebeians can be overstated. If we have tribunes from non-elite plebeian backgrounds then we see two potentially important effects. Firstly, they could pass low-level legislation that directly dealt with the relevant issues and concerns of the common plebeians. Secondly, they would interact with the tribunes from elite backgrounds, giving them a greater awareness of common issues in Rome. Whether they did anything with it or not is another matter, but a canny young plebeian would soon see the advantage from understanding and appearing to empathize with the everyday problems faced by the common citizens of Rome. Overall, this adds a greater democratic element to the Roman system, and if anything swings us slightly back towards the Polybian view of a mixed system.

Appendix Three

The Sources for the Period

It can easily be overlooked, but our views of events are controlled by the ancient sources which survive for this period and what they tell us. Despite the period being a critical one in the history of the Republic, we actually possess fewer sources (in terms of detailed coverage of events) than we do for other periods of the Republic. Critically, we do not possess a single annalistic source (one which gives a year-by-year breakdown of events) which covers these years. The most notable loss is that of Livy, whose annalistic narrative breaks off in 167 BC, with the remaining books lost to history.

This means that we are reliant on other sources, the most notable of which are Appian's history of the Civil War period and Plutarch's biographies. Not only are these sources from a much later period, but both intrinsically have flaws in terms of the depth of their coverage and what they chose to omit. Thus, if we are to fully understand the period, we must be aware of the limitations of our source material.

Surviving Sources

Appian – History of the Civil Wars (Second century AD)

Appian was a second century Greek historian who wrote a number of works on the various wars of the Republican period. Perhaps his most famous work was the Civil Wars, which charted Roman political strife from the tribunate of Tiberius Gracchus to the rise of Augustus. Book One charted events from 133 to 70 BC and forms our only surviving narrative history of the period. Nevertheless, it does suffer from being written several centuries after the events themselves and depicting events through several intermediate sources. Furthermore, the narrative does (unsurprisingly) focus on the major periods of activity such as the Gracchi, Saturninus, Drusus and the Civil War, and skips the years inbetween, depriving us of key background details.

Asconius – Commentaries on Cicero (First century AD)

Asconius was an Imperial writer who produced commentaries on

various of Cicero's legal cases. In doing so he not only preserves Cicero, but provides additional details not found in other surviving sources.

Cicero – Various (First century BC)

The various and many political and philosophical works of the late Republican Roman politician M. Tullius Cicero contain a wealth of detail about the events of this period. Critically, Cicero started his career in Rome in the 70s BC and so knew many of the participants in the later stages of these events or could gain stories of them first hand. He was also an active politician in the later stages of the Republic, sometimes at the centre of events, which gives him a unique perspective amongst our surviving sources.

Dio Cassius – Roman History (Third century AD)

Dio Cassius was an Imperial Greek writer who wrote an eighty book History of Rome from the foundation down to his own times. For the period in question, only fragments remain but they do add details not found elsewhere.

Diodorus – Library of History (First century BC)

Diodorus' work took the form of a universal history of the ancient world from its earliest day down to his time. Although much of it has been lost, his later chapters on Roman history provide a wealth of previously unknown details.

Florus – Epitome of Roman History (Second century AD)

Florus was a writer from the mid-Imperial period, and he wrote a short history of Rome. His coverage of this period of the Republic broke the events down into a series of wars (internal and external). Although brief, he seems to have based his work on the annalistic sources, including Livy, and does preserve some details not found elsewhere.

Granius Licinianus – Roman History (Second century AD?)

We only have a handful of fragments of Licinianus' work, but it is believed to have been an epitome of Roman history. The few

fragments we have cover the period 163–78 BC and provide some interesting insights into the events under discussion.

Orosius – Seven Books Against the (Fifth century AD)

Pagans¹

Paulus Orosius was a late Imperial Christian writer who wrote a short history of the world in seven books, with a Christian slant. Nevertheless, his sections on Republican history contain a wealth of detail not found elsewhere and it seems he based much of it on the (now lost) books of Livy.

Plutarch – Biographies (First to second centuries AD)

Plutarch was a first / second century AD Greek writer who produced a celebrated series of biographies of Greek and Roman statesmen (pairing together one of each). For this period, we have biographies of the Gracchi, Marius, Sulla, Pompeius and Crassus. We know he used a variety of sources, including Sulla's own autobiography (see below). These biographies are invaluable sources of information but do tend to the dramatic and favour one point of view over the others. They also have the inevitable flaw of not covering in detail the years between the key points in these men's careers (as with Appian).

Sallust – History of Jugurthine War (First century BC)

C. Sallustius Crispus was a late Republican politician and writer who wrote a history of the late Republican period (now lost – see below) along with two surviving shorter works, one of which was on the Jugurthine War. As well as preserving a detailed account to the war itself, he provides invaluable details of Roman domestic politics in this period, which is poorly covered in our other surviving sources. He too would have been able to gather information from people first hand about the events of this period.

Unknown – De Viris Illustribus

The *de viris illustribus* is a collection of short biographies of various Republican figures. The work is anonymous and cannot be dated with any certainty, but is clearly from the late Imperial period. Despite this and the brevity of the biographies, they do contain details not found elsewhere within our surviving sources.

Unknown – Periochae of Livy

The Periochae of Livy was an Imperial work by an unknown author which provided a year-by-year summary of the 142 books of Livy. Although each year is reduced to a few sentences, he does preserve much detail not found elsewhere and allows us to see the breadth of topics Livy covered.

Velleius Paterculus – Roman (First century AD)

History

Velleius Paterculus was an early Imperial writer who wrote a short history of Rome. Although brief, he would have had access to the full range of annalistic sources, including Livy, and preserves details not found elsewhere.

Lost Sources

As well as the surviving sources, we are aware of a number of ancient sources which would have contained important details of the period in question, but which no longer survive.² Had they survived from antiquity then our view of this period may well be very different. Cornell provides the best overview of the fragments of lost historians of Rome.³

Claudius Quadrigarius – History of (First century BC)

Rome

Q. Claudius Quadrigarius wrote an annalistic history of Rome from the Gallic Sack down to at least the First Civil War period. We know he was one of the sources used by Livy, though his work was only twenty-three books long. Aside from fragments quoted by other authors, nothing of his history survives.

Cornelius Sisenna – History of (First century BC)

Rome

L. Cornelius Sisenna was a Roman politician who wrote a detailed history of the 80s BC (from the Italian revolt to the Dictatorship of Sulla). This would have been a wonderful source for the period, especially given that Sisenna was describing events that he had lived through (he died on active service in the 60s). Sallust's Histories picked up where Sisenna left off (78 BC).

Cornelius Sulla – Autobiography (First century BC)

L. Coelius Sulla famously wrote an autobiography of his life, giving later historians a first-hand account of the events he took part in, although as such it was prone to increasing his own role at the expense of others, notably Marius, who became his sworn enemy during the First Civil War.

Fannius (Second century BC)

C. Fannius was a Roman historian who was part of the circle of Scipio Aemilianus. There is a debate over whether he was the same C. Fannius as the consul of 122 BC, who was sponsored by C. Gracchus. Nevertheless, he wrote a history of Rome which is believed to have covered contemporary events in the 140s and 130s BC. His work would have been a first-hand account of the Gracchan period from someone at the very heart of the political elite.

Livy – History of Rome from the Foundation of the City (First century BC)

Of all the lost Roman works, it is perhaps the History of T. Livius that is the most prominent. His history of Rome from Romulus to Augustus was composed of 142 separate books. Today, all that survives are books one to ten (753 to 293 BC) and twenty-one to forty-five (218-167 BC). Books 46 to 142 covered the last 100 or so years of the Republic and would provide us with such a wealth of information that it would transform the study of Roman history. We know from the summaries that books sixty-one to sixty-nine covered the period 120–100 BC and would have provided us with details on all the domestic political events in this period.

Licinius Macer – History of Rome (First century BC)

C. Licinius Macer was a prominent tribune in the 70s and campaigned for the restoration of the tribunate's powers. He also wrote a History of Rome from its foundation to his own times.

Lutatius Catulus – Autobiography (First century BC)

Q. Lutatius Catulus (Cos. 102 BC) was another contemporary Roman who wrote an account of his own consulship, used by Plutarch, which clearly disguised his military shortcomings. He, too, clearly suffered from the desire to inflate his own achievements and also became a

sworn enemy of Marius, an act that cost him his life, becoming a victim by his own hand of the bloodbath that accompanied Marius' capture of Rome in 87 BC.

Mucius Scaevola – Pontifical Annals (Second century BC)

P. Mucius Scaevola (Cos. 133 BC) in his role as Pontifex Maximus published the Pontifical Annals (*Annales Maximi*), an annual recording of events made by the Roman pontiffs from the early Republic. There is no clear agreement on whether the content of the work was strictly religious in nature or contained political history.⁴

Poseidonius – History and Geography (First century BC)

Poseidonius was a Greek scholar of the first century BC who wrote extensively on matters of science and nature. He also wrote historical work continuing Polybius' histories from 146–88 BC.

Rutilius Rufus – Autobiography and History of Rome (First century BC)

P. Rutilius Rufus was another of the men involved in these events to write an autobiography. He was a legate to both Scipio Aemilianus in Numantia and Metellus Numidicus in Numidia, serving with Marius on both occasions, and was elected to the consulship in 105 BC. He was exiled from Rome in the 90s BC, a victim of an equestrian rigged jury, due to his campaign against corruption in the provinces. Nevertheless, this exile allowed him to avoid the bloodshed of the First Civil War and live out a comfortable exile in the Greek islands, writing his accounts of the events he had taken part in.

Sallust – History of Rome (First century BC)

As well as his surviving monographs, C. Sallustius Crispus wrote a history of the late Republic from the death of Sulla into the 60s BC, which was a continuation of the History of Sisenna. This would have been a wonderful first-hand account of these events, for which we only have a brief overview and from a contemporary Roman politician. The work only survives in fragments, one of which is a large speech by the tribune Licinius Macer from 73 BC.

Sempronius Asellio – History of Rome (Second to first centuries BC)

P. Sempronius Asellio was a Roman senator who fought under Scipio Aemilianus at Numantia and was one of his circle of friends. He wrote a contemporary History of Rome, in which he differed his work from those of the annalists, exploring motivations behind the events he described. His work is believed to have extended from at least the Third Punic War to Livius Drusus.

Sempronius Gracchus (Second century BC)

Perhaps the most intriguing first-hand accounts were those of C. Sempronius Gracchus (Tr.123–122). We know that he made speeches, some of which were written down, concerning his brother's tribunate. Plutarch preserves a fragment on Tiberius' journey through Etruria. We don't know how much was written, but it would have been an invaluable first-hand testimony of one of the period's most important figures.

Valerius Antias – History of Rome (First century BC)

Valerius Antias wrote an annalistic history of Rome from its foundation down to at least the First Civil War period. Whilst not as large as Livy's, it would have preserved key details of the period in question now lost to us and was one of the sources used by Livy.

Thus, we can see the depth of primary sources that have been lost to us. Had we access to just a fraction of these lost works, our knowledge of this period would be much enhanced and our understanding of the events transformed, not to mention events which we are not even aware of having occurred.

End Notes

Introduction: From Conquest to Collapse

1. See G. Sampson. (2010). *The Crisis of Rome. The Jugurthine and Northern Wars and the Rise of Marius* (Barnsley) and (2013). *The Collapse of Rome. Marius Sulla and the First Civil War* (Barnsley).
2. G. Sampson. (2005). *A re-examination of the office of the Tribune of the Plebs in the Roman Republic (494 – 23 BC)* (Unpublished thesis).

Chapter One: Politics, Violence and the Evolution of the Republic (c.508–146 BC)

1. Sall. *Cat.* 10

2. Polyb. 6.11

3. Throughout this work, we will be avoiding the term ‘faction’. Faction, when it comes to Roman politics, implies an active undermining of the status quo as oppose to the various ad hoc and temporary political alliances.

4. For a fuller description see A. Lintott. (1999). *The Constitution of the Roman Republic* (Oxford), pp.94–146.

5. See C. Brennan. (2000). *The Praetorship in the Roman Republic Volumes 1 & 2* (Oxford).

6. There were other types of Assembly, but for the purposes of this study we have simplified the situation into the two key ones.

7. See G. Botsford. (1904). ‘On the Distinction between Comitia and Concilium’, *Transactions of the American Philological Association* 35 (1904), pp.21–32 and (1909). *The Roman Assemblies from their Origin to the End of the Republic* (New York), K. Sandberg. (2001). *Magistrates and Assemblies. A Study of Legislative Practice in Republican Rome* (Rome). For a shorter introduction, see A. Lintott. (1999), pp. 40–64.

8. See J. Nicholls. (1956). ‘The Reform of the Comitia Centuriata’, *American Journal of Philology* 77, pp.225–254, G. Sumner. (1962). ‘Aspects of the History of the Comitia Centuriata in the Middle and Late Republic’, *Athenaeum* 40, pp. 37-84, R. Develin. (1978b). ‘The Third Century Reform of the Comitia Centuriata’, *Athenaeum* 56, pp.346-377 and L. Grieve (1985). ‘The Reform of the Comitia Centuriata’, *Historia* 34, pp.278–309.

9. See T. Cornell. (1995). *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic War (c. 1000-264 BC* (London), pp.218-222 and A. Drummond. (1978). ‘The Dictator Years’, *Historia* 27, pp.550-572.

10. He was leading a Roman army against the city of Ardea.

11. L. Iunius Brutus, the king’s nephew and L. Tarquinius Collatinus, his cousin.

12. A modern retelling of which can be found in the currently popular television drama *Game of Thrones*, where the king’s son dishonours a nobleman’s daughter, leading to rebellion and the king’s overthrow.

13. T. Cornell. (1995), pp. 226–230.
14. L. Iunius Brutus (killed in battle), L. Tarquinius Collatinus, P. Valerius Publicola, Sp. Lucretius (died) and M. Horatius.
15. Tac. *Hist.* 3.72, Plin. *NH.* 34.139
16. T. Cornell. (1995), pp. 215–230.
17. L. Ward. (1990). ‘Roman Population, Territory, Tribe, City, and Army Size from the Republic’s Founding to the Veientane War, 509 BC– 400 BC’, *American Journal of Philology* 111, pp.5–39.
18. See A. Momigliano. (1986). ‘The Rise of the plebs in the Archaic Age of Rome’, in K. Raaflaub (ed.) *Social Struggles in Archaic Rome* (Berkeley), pp. 175–197. T. Cornell. (1995), pp.242-271 and G. Sampson. (2005), pp.20–25.
19. R. Ridley. (1968). ‘Notes on the Establishment of the Tribune of the Plebs’, *Latomus* 27, pp.535–554.
20. Lydus. 1.44.2
21. T. Cornell. (1995), pp.272–292.
22. T. Cornell. (1995), pp.313–322, L. Roberts. (1918). ‘The Gallic Fire and Roman Archives’, *Memoirs of the American Academy in Rome* 2, pp. 55–65 and V. Rosenberger. (2003). ‘The Gallic Disaster’, *Classical World* 96, pp. 365–373.
23. E. Ferenczy. (1966). *The Rise of the Patrician-Plebeian State* (Budapest), R. Mitchell (1986). ‘The Definition of Patres and Plebs: an end to the Struggle of the Orders’, in K. Raaflaub. (ed.) *Social Struggles in Archaic Rome* (Berkeley), pp.130–174, (1990). *Patricians and Plebeians: The Origins of the Roman State* (Ithaca).
24. Val. Max. 5.8.2
25. Fest. 180L. Though the figure of ten tribunes this early in the Republic is considered anachronistic.
26. Liv. 4.1.1-7.1, Dion. Hal. 11.53.1-61.3, Zon. 7.19
27. See J. Pinsent (1975). *Military Tribunes and Plebeian Consuls: The Fasti from 444V to 342 V* (Wiesbaden). T. Cornell. (1995), pp. 334–336.
28. See P. Panitschek. (1989). ‘Sp. Cassius, Sp. Maelius, M. Manlius als exempla maiorum’, *Philologus* 133, pp. 231–245.
29. Livy (6.35.10) stated that no other magistrates were elected between 375 and 371 BC whilst Diodorus (15.75.1) stated this happened in only one year (375 BC).

30. Though we have details of the law, the date is not given and has been open to much historical debate; see T. Cornell. (2000). 'The Lex Ovinia and the Emancipation of the Senate', in C. Bruun. (ed.). *The Roman Middle Republic. Politics, Religion, and Historiography c.400-133 BC* (Rome), pp.69–89.
31. E. Staveley. (1955). 'Tribal Legislation before the Lex Hortensia', *Athenaeum* 33, pp. 3–31, G. Maddox. (1983). 'The Economic Causes of the Lex Hortensia', *Latomus* 42, pp.277–286.
32. See G. Sampson. (2016). *Rome Spreads Her Wings: Territorial Expansion Between the Punic Wars* (Barnsley), pp.3–16.
33. See note 7.
34. Polyb. 2.21.7-8, Cato. fr. 43, Cic. *Sen.* 11, *Inv.* 2.25, *Acad.* 2.13, *Brut.* 57, *Leg.* 3.20, Liv. 21.63.2, Val. Max. 5.4.5. See R. Develin. (1976). 'C. Flaminius in 232 BC', *L'Antiquité Classique* 45, pp.638–643, (1979). 'The Political Position of C. Flaminius', *Rheinisches Museum für Philologie* 122, pp.268–277, R. Feig-Vishnia. (1996). 'Cicero "De Senectute" 11. and the Date of Flaminius' Tribune', *Phoenix* 50, pp.138–145.
35. Val. Max. 5.4.5
36. See G. Sampson (2016).
37. Liv. 21.63.3
38. Liv. 25.3
39. Liv. 25.4
40. Ibid.
41. Liv. 29.20.4
42. In 310 BC, when two anonymous tribunes were amongst envoys sent by the Senate, to prevent the consul (Q. Fabius) from entering the Ciminian Forest (Liv. 9.34.26).
43. Val. Max. 7.2.6
44. Liv. 30.40.9–16 and 30.43.2–3 respectively.
45. Plut. *Flam.* 18.1
46. G. Sampson. (2005), pp.223–237.
47. R. Bauman. (1990). 'The Suppression of the Bacchanals: Five Questions', *Historia* 39, pp. 334–348, S. Takács. (2000). 'Politics and Religion in the Bacchanalian Affair of 186 BC', *Harvard Studies in Classical Philology* 100, pp.301–310.
48. Though the chronology of these two periods is confused; see T.

Broughton. (1951). *The Magistrates of the Roman Republic. Volume 1 509 BC –100 BC* (New York), pp.376–378, E. Gruen. (1995). ‘The “Fall” of the Scipios’, in I. Malkin and Z. Rubinsohn (eds.) *Leaders and Masses in the Roman world: studies in honour of Zvi Yavetz* (Leiden), pp.59–90.

49. R. Geer. (1938). ‘The Scipios and the Father of the Gracchi’, *Transactions and Proceedings of the American Philological Association* 69, pp.381–388.

50. A. Astin. (1958). *The Lex Annalis Before Sulla* (Brussels).

51. Liv. 41.1.6

52. See G. Sumner. (1963). ‘Lex Aelia, Lex Fufia’, *American Journal of Philology* 84, pp.337–358, A. Astin. (1964). ‘Leges Aelia et Fufia’, *Latomus* 23, pp.421–445, A. Bernstein. (1978). ‘The Dating of the Aelian and Fufian Legislation’, *Tiberius Gracchus: Tradition and Apostasy* (Ithaca), pp. 247–249.

53. Liv. *Per* . 48

Chapter Two: From Reform to Murder: The Origins of the Bloodshed (146–133 BC)

1. See A. Astin. (1967). *Scipio Aemilianus* (Oxford), pp.161–226.
2. Cic. *Leal* . 96, also see Varr. RR. 1.2.9, Plut. CG. 5.3
3. Suet. *Tib* . 2.4
4. Val. Max. 5.4.6, Also see Cic. *Cael* . 34, Dio. *fr* . 74, Oros. 5.4.7
5. Macrob. *Sat* . 3.17.6
6. Plut. *TG* . 8.3-4
7. Liv. *Oxy. Per* . 54
8. Cic. *De. Or* . 2.258 and 268, Gell. 2.20.6, 3.4.1, 4.17.14, 6.11.9, Fest. 362L
9. Cic. *Leg* . 3.35. Also see *Lael* . 41, *Leg. Agr* . 2.4 and Liv. *Oxy. Per* . 54
10. The Licinii had been a long-established tribunician family, stretching all the way back to the first tribunes of 493 BC. Between then and 138 BC we can find reference to seven different Licinii holding the office.
11. Cic. *Leg* . 3.20, Liv. *Oxy. Per* . 55
12. Cic. *Brut* . 97. Also see *Brut* . 106, *Leg* . 3.35-37, *Sest* . 103, *Lael* . 41 *Corn* . 1 *fr* . 50, Ascon 78C, *Schol. Bob* 135
13. Cic. *Lael* . 41
14. Cic. *De Or* . 1.181
15. App. *Ib* . 84. See also Liv. *Per* . 57
16. Though there existed a law that no man could hold a plebeian office if he had a living father who had held a curule office, see Develin, R. (1981). 'A Peculiar Restriction on Candidacy for Plebeian Office', *Antichthon* 15, pp.111–117.
17. See G. Sampson. (2005), pp.223–284.
18. Plut. *TG* . 4.5
19. Plut. *TG* . 5.4
20. Plut. *TG* . 7.3
21. Adult sons of the landholder were allowed an additional 250 iugera each.
22. Plut. *TG* . 8.4
23. Plut. *TG* . 9.1

24. At Luna, see Liv. 41.136.4–5
25. Plut. *TG* . 8.3
26. Plut. *TG* . 8.7
27. The best place to start is J. Rich. (1983). ‘The Supposed Manpower Shortage of the Later Second Century BC’, *Historia* 32, pp. 287–331.
28. See L. de Ligt. (2012). *Peasants, Citizens and Soldiers. Studies in the Demographic History of Roman Italy 225 BC – AD 100* (Cambridge) and L. de Ligt and S. Northwood (eds.). (2008). *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC – AD 14* (Leiden).
29. Plut. *TG* . 8.4-5
30. Plut. *TG* . 8.6
31. See G. Sampson. (2005), pp. 258–260.
32. Plut. *TG* . 10.2
33. Dio. *fr* .83.4
34. Plut. *TG* . 10, App. *BC* . 1.12
35. See G. Sampson. (2005), pp. 330–342.
36. Plut. *TG* . 10.3
37. Plut. *TG* . 10.6
38. App. *BC* . 1.12
39. Plut. *TG* . 12.4
40. Diod. 34.5.1
41. Plutarch (*TG*. 13.2 and 18.1) has Mucius, Appian (*BC*. 1.12 and 1.14) has Mummius, whilst Orosius (5.8.3) has Minucius. See T. Broughton. (1951). 1, p.493 and 497, G. Niccolini. (1934), pp. 142–151.
42. Plut. *TG* . 13.1
43. Liv. *Per* . 58
44. Plut. *TG* . 14
45. Plut. *TG* . 16
46. Ibid
47. App. *BC* . 1.14
48. See D. Feeney. (2007). *Caesar’s Calendar: Ancient Time and the Beginnings of History* (Berkeley).
49. See F. Ryan. (1998). *Rank and Participation in the Republican Senate* (Stuttgart), p.130.

50. App. *BC* . 1.14
51. App. *BC* . 1.15. Whether the tribunes in question used their veto is not recorded, nor is it easily determinable from the Greek.
52. See L. Taylor. (1963). 'Was Tiberius Gracchus' Last Assembly Electoral or Legislative?', *Athenaeum* 41, pp.51–69 and (1966). 'Appian and Plutarch on Tiberius Gracchus' Last Assembly', *Athenaeum* 44, pp.238–250.
53. App. *BC* . 1.15
54. Plut. *TG* . 19.3
55. Plut. *TG* . 19.5
56. Plut. *TG* . 19.6
57. App. *BC* . 1.16
58. J. Linderski. (2002). 'The Pontiff and the Tribune: The Death of Tiberius Gracchus', *Athenaeum* 90, pp.339–366.
59. Perhaps a reference to the famous 300 Spartans who fought and died at the Battle of Thermopylae.
60. App. *BC* . 1.14

Chapter Three: Between the Bloodshed: Reform and Revenge (132–124 BC)

1. Diod. 34.33.7
2. Plut. *TG* . 20
3. Sall. *Iug* . 31.7
4. Vell. 2.7.4
5. Plut. *TG* . 21.6
6. Plut. *TG* . 21.1
7. It is not clear when another Roman commander, D. Brutus, celebrated his triumph (over the Callaeci and Lusitani). Some place it in 132 BC, others a year earlier in 133 BC. See T. Broughton. (1951). 1, p.494.
8. The story is also found in Diod. 34.7.3
9. The year is disputed (either 131 or 130 BC). G. Niccolini. (1934), pp. 151–155 argues for 131, whilst T. Broughton. (1951). 1, pp.502–503 argues for 130 BC.
10. Liv. *Per* . 59
11. Cic. *Dom* . 123, Seneca. *Contr* . 10.1.8, Plin. *NH* .7.143–145
12. Plut. *TG* . 21.5
13. Cic. *Leg* . 3.35. The connection to this tribune in this year is far from certain.
14. Broughton places Q. Aelius Tubero as Tribune of 130 BC, whilst Niccolini argues for 129 BC See T. Broughton. (1951). 1, p.502 and G. Niccolini (1934), pp. 414–415.
15. App. *BC* . 1.19
16. Liv. *Per* . 59
17. Ibid.
18. Ibid.
19. Cic. *Brut* . 109
20. See R. Husband. (1916). ‘On the Expulsion of Foreigners from Rome’, *Classical Philology* , pp.315–333 and W. Broadhead. (2008). ‘Migration and Hegemony: Fixity and Mobility in Second-Century Italy’, in L. de Ligt and S. Northwood. (eds.) *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC – AD 14* (Leiden), pp.451–470.

21. Liv. *Per* . 60, Vell. 2.6.4, Cic. *Inv* . 2.105, Pis. 95, *Planc* . 70, *Fin* . 5.62, *Phil* . 3.17, Val. Max. 2.8.4, Ascon, 17C, Obseq. 30, Amm. Marc. 25.9.10
22. Cic. *Brut* . 109, *Off* . 3.47. Fest. 362L
23. Plut. *CG* . 1.2–3
24. App. *BC* . 1.21, also see Val. Max. 9.5.1
25. Val. Max. 9.5.1
26. App. *BC* . 1.34
27. Plut. *CG* . 2-3
28. Ibid.
29. Plut. *CG* . 3

Chapter Four: From Reform to Massacre: The Tribunes of Caius Gracchus (123–120 BC)

1. Plut. *CG* . 4.2
2. Plut. *CG* . 5.1, App. *BC* . 1.21, Vell. 2.6.3, Liv. *Per* . 60, Flor. 2.3.2, *de. vir. ill* . 65.3, Oros. 5.12.4, *CIL* .1.2.585
3. Vell. 2.6.3, Liv. *Per* . 60
4. Though the story of salt being sown into the ground is a later invention, see R. Ridley. (1986). 'To be Taken with a Pinch of Salt: The Destruction of Carthage', *Classical Philology* 81, pp.140–146.
5. Plut. *CG* . 7
6. App. *BC* . 1.23
7. Plut. *CG* . 6
8. Cic. *Cluent* . 151 and 154
9. Diod. 34.25.1
10. App. *Pun* . 136
11. See P. Erdkamp. (2000). 'Feeding Rome, or Feeding Mars? A Long-Term Approach to C. Gracchus' Lex Frumentaria', *Ancient Society* 30, pp.53–70.
12. Liv. *Per* . 60
13. Equestrians have wrongly been classed as a Roman middle class by some modern scholars, but this is an over-simplification.
14. Vell. 2.6.3
15. Plut. *CG* . 5.2-3, Liv. *Per* . 60
16. App. *BC* . 1.23
17. Cic. *Brut* . 99
18. Vell. 2.6.2
19. Plut *CG* . 9.5
20. App. *BC* . 1.23
21. App. *BC* . 1.34
22. Plut. *CG* . 5
23. Plut. *CG* . 4
24. Schol. Bob. 96
25. Plut. *CG* . 6.2
26. It is possible that Tubero was a tribune of this year also, giving

both of them the opportunity to make these speeches against each other.

27. We have a M. Flavius holding the tribunate in both 327 and 324 BC, but it is unclear whether it was the same man.

28. Livy (3.65.1) reports that the consuls of 454 BC (A. Aternius and Sp. Tarpeius) were co-opted as tribunes in 448 BC.

29. App. *BC* . 1.21

30. T. Broughton. (1951). 1, p. 513.

31. Plut. *CG* . 9.3-4

32. App. *BC* . 1.23

33. Plut. *CG* . 3

34. App. *BC* . 1.24

35. Liv. 9.36.14, as part of a delegation to recall a consul.

36. Plut. *CG* . 11, App. *BC* . 1.24

37. Plut. *CG* . 12

38. Plut. *CG* . 11

39. App. *BC* . 1.24

40. App. *BC* . 1.25

41. Oros. 5.12.5 and *de. vir. ill* . 65

42. *de. vir. ill* . 65

43. Plut. *CG* . 14. See App. *BC* . 1.26

44. Plut. *CG* . 14.3

45. Cic. *Cat* . 1.4

46. Cic. *Phil* . 8.14

47. Liv. *Per* . 61

48. A. Lintott. (1999), pp. 89–93.

49. A. Kaplan. (1977). *Dictatorships and ‘Ultimate’ Decrees in the Early Roman Republic 501-202 BC* (New York).

50. Plut. *CG* . 14

51. Plut. *CG* . 15

52. App. *BC* . 1.26

53. Plut. *CG* . 16

54. Ibid.

55. Plut. *CG* . 16

56. Oros. 5.12.9

57. Cic. *Phil.* . 8.14
58. App. *BC.* . 1.26
59. Plut. *CG.* . 17
60. Val. Max. 4.7.2
61. Plut. *CG.* . 17
62. Ibid.
63. Ibid.
64. App. *BC.* . 1.26
65. Oros. 5.12.9-10
66. Plut. *CG.* . 18
67. Plut. *CG.* . 17
68. Plut. *CG.* . 18
69. Cic. *Brut.* . 128, *P. Red. in Sen.* . 38, *P. Red. ad Quir.* . 11, *Schol. Bob.* .174. See G. Niccolini. (1934), p. 174 and T. Broughton. (1951), 1, pp.524–525.
70. His first name is disputed. Livy (*Per.* . 61) states Q, but Cicero (*Brut.* . 108) and the *de viris illustribus* (72.6) give it as P. One obvious solution is that there were two kinsmen (possibly brothers) who held the tribunate together, of which there are other examples: C. and P. Licinius in 493 BC, three Icilius in 409 BC, Cn. and Q. Ogulnius in 300 BC, M. and P. Silius in 269–218 BC, L. and Sp. Carvilius in 212 BC, C. and L. Arrennius in 210 BC, C. and M. Titinius in 192 BC, M. and P. Iunius Brutus in 195 BC, L. and Q. Mummius and Q. and Q. Petillius in 187 BC.
71. Val Max. 5.3.2

Chapter Five: Political Reform in the Gracchan Shadow (119–108 BC)

1. Plut. *Mar* . 4.2-4, Cic. *Leg* . 3.38
2. Cic. *Leg* . 3.38
3. Plut. *Mar* . 4.2-3
4. Plut. *Mar* . 4.4
5. Cic. *De Or* . 1.40, 1.121, 2.170, 3.74, *Off* . 2.47, *Brut* . 159, *Lael* . 96. *Fam* . 9.21.3, *QF* . 2.3.3, *Verr* . 2.3.3. Also see Val. Max. 3.7.6 & 6.5.6
6. Names for replacement commissioners for Flaccus and Gracchus have been proposed, but there is no conclusive evidence; see T. Broughton. (1952). 1, p.522.
7. App. *BC* . 1.27
8. Or possibly Borius (App. *BC* . 1.27); see T. Broughton. (1950). 1, pp.541–542 and G. Niccolini (1934), pp.178–184.
9. Cic. *De. Or* . 2.284
10. Cic. *Brut* . 136
11. See E. Hardy. (1910). ‘Were the Lex Thoria of 118 BC and the Lex Agraria of 111 BC Reactionary Laws?’, *Journal of Philology* 31, pp.268–286, E. D’Arms. (1935). ‘The Date and Nature of the Lex Thoria’, *American Journal of Philology* 56, pp.232–245.
12. CIL 1 ². 585
13. See A. Lintott. (1992). *Judicial reform and land reform in the Roman Republic* (Cambridge).
14. See G. Sampson. (2010).
15. Ascon. 45–46, also see Cic. *ND* . 3.74, *Brut* . 160, Liv. *Per* . 63, Val. Max. 3.7.9 & 6.8.1, Dio. 26. *fr* .87, Obseq. 37, Oros. 5.15.22, Macrob. *Sat* . 1.10.5
16. Members of his family would continue to hold office in Rome throughout the late Republic, culminating in a Suffect Consulship in 35 BC.
17. Sall. *Iug* . 27.1–5. Also reported in Liv. *Per* . 64
18. Sall. *Iug* . 30
19. Sall. *Iug* . 31
20. Sall. *Iug* . 34
21. Sall. *Iug* . 37.1-2

22. The Mamilii Vituli, in 265 and 262 BC and the Mamilii Turrini in 239 BC.
23. G. Sampson (2010).
24. Sall. *Iug* . 40.1–3
25. Cic. *De. Or* . 2.283
26. Sall. *Iug* . 40.4
27. Cic. *Brut* . 127–128
28. It is unclear whether Drusus died before Scaurus' appointment or after it.
29. Plut. *RQ* . 50
30. Ascon. 68

Chapter Six: Crisis, Reform and Massacre (108–100 BC)

1. Making him the uncle of C. Iulius Caesar.
2. Vell. 2.11.2
3. Sall. *Iug.* 73.1–7
4. Plut. *Mar.* 8–9. Also see. Cic. *Off.* 3.79
5. Sall. *Iug.* 73.1–6
6. Sall. *Iug.* 73.7
7. G. Sampson. (2010), pp. 180–191.
8. Gell. 16.10.14
9. Plut. *Mar.* 8–9. Also see. Cic. *Off.* 3.79
10. See G. Sampson (2010).
11. Cic. *Inv.* 1.92, *De. Or.* 1.199 and 233, *Brut.* 161–164, *Cluent.* 140, Val Max. 6.9.13
12. Cic. *Brut.* 161
13. Though certain later sources state that the Senate did just this; Tac. *Ann.* 12.60 and Ascon 79C
14. See G. Sampson (2010), pp. 130–141.
15. Liv. *Per.* 67
16. See G. Sampson (2010), pp.135–136.
17. Liv. *Per.* 67, Ascon. 78C
18. Ascon. 78C, Cic. *De. Or.* 2.124, & 2.197–200, *Brut.* 135, *Tusc.* 5.14, *Ballb.* 28, *Ad. Herenn.* 1.25
19. Cic. *Corn.* 2, *Div. in. Caec.* 67, Ascon. 80–81C
20. Ascon. 21C, Cic. *Deiot.* 31, Val. Max. 6.5.5, Suet. *Nero.* 2.1, Dio. 27. *fr.* 92
21. Cic. *Off.* 2.73
22. Diod. 36.12
23. Cic. *Har. Resp.* 43
24. Cic. *Sest.* 39
25. Cic. *De. Or.* 2.107
26. It must be stressed that the surviving sources do not explicitly state that Caepio was prosecuted by this new court, but it is the most logical course of events.

27. Val. Max. 4.7.3
28. Cic. *De. Or.* . 2.197
29. Ibid.
30. Liv. *Per.* . 67
31. Gran. Lic. 13
32. Val. Max. 4.7.3
33. Ibid.
34. *de. vir. ill.* . 73.1. It is mentioned obliquely in Caesar (*BA.* . 56.3).
35. Plut. *Mar.* . 14.6-8
36. App. *BC.* . 1.28
37. Cic. *Sest.* . 101
38. Dio 28. *fr.* . 95.2
39. App. *BC.* . 1.28
40. *de. vir. ill.* . 73.2
41. Diod. 36.13, Plut. *Mar.* . 17.5-6
42. See T. Broughton. (1951), 1, pp.571–573, G. Niccolini. (1934). pp.195–198. If it was a tribunate then it may well have been his second tribunate, if he did indeed hold the praetorship in 103 BC (itself an unusual move, though reminiscent of M. Fulvius Flaccus in 122 BC). If it was a praetorship, then again it was a highly unusual (and possibly unprecedented) move to hold a second praetorship.
43. Cic. *Scaur. fr.* . d, *Rab. Perd.* . 20, *Reb Post.* . 9, *Brut.* . 224, *Balb.* . 54, *Verr.* . 2.1.26, Ascon. 21C and 79C, Val. Max. 8.1.8, *Ad. Herenn.* . 1.20
44. Plut. *Mar.* . 28.4
45. Plut. *Mar.* . 28.5-6
46. Diod. 36.15
47. It would be more usual for a tribune to preside over these elections.
48. App. *BC.* . 1.28
49. Liv. *Per.* . 69
50. Val. Max. 9.7.3. Also see Plut. *Mar.* . 29.1
51. App. *BC.* . 1.29
52. App. *BC.* . 1.30
53. See J. Beness. (1991). ‘The Urban Unpopularity of Lucius Appuleius Saturninus’, *Antichthon* 25, 33–61.
54. App. *BC.* . 1.30

55. The dating of the tribunes involved in Saturninus' actions is open to question. Niccolini (1934, pp. 204–205) and Broughton (1952). 2, p.2 both argued that Furius, Pompeius and Cato were tribunes in 99 BC, whilst Appuleius Decianus, Calidius, and Canuleius were tribunes in 98 BC. Gabba (E. Gabba. (1958). *Appiani Bellorum Civilium Liber Primus* (Firenze). pp.110-111) and Gruen (E. Gruen. (1966). 'Political Prosecutions in the 90s BC', *Historia* 15, pp.33-37) argued that, based on Appian's description of these events, the chronology was a year out. Broughton (1980 3.2, pp.21–23) later agreed with this new chronology for these tribunes. See E. Badian. (1984). 'The Death of Saturninus, Studies in Chronology and Prosopography', *Chiron* 14, pp.101–147.

56. App. *BC* . 1.30

57. *de. vir. ill* . 73.5

58. Plutarch (*Crass* . 2) refers to Marius giving each of his men fourteen *iugera* of land, though no other details are given.

59. Cic. *Balb* . 48

60. *Ad Herenn* . 1.21 & 2.17

61. *Ad. Herenn* . 1.21, 2.17, 4.35, Sall. *Hist* . 1.62M.

62. Valerius Maximus (9.7.2) states that Tiberius had three sons; the eldest was killed in Sardinia serving in the army (undated), a second died as a child, and the third was born after Tiberius died, but his fate is not recorded.

63. See Cic. *Brut* . 224, which hints at this possibility.

64. App. *BC* . 1.32

65. Val. Max. 3.2.18

66. Val. Max. 8.6.2

67. Oros. 5.17.5

68. Oros. 5.17.7–8

69. Cic. *Rab. Perd* . 18

70. *de. vir. ill* . 73

71. Cic. *Phil* . 8.15. Also see App. *BC* . 1.32-33 and Plut. *Mar* . 30.1-6, Flor. 2.4.3. Val Max. 9.7.1, Vell. 2.12.6

72. Val. Max. 8.6.2

73. Oros. 5.17

74. App. *BC* . 1.32

Chapter Seven: Reform, Murder and the Road to Civil War (100–91 BC)

1. App. *BC* . 1.33
2. Ibid
3. Oros. 5.17.11
4. Dio. 28. *fr* . 95.2–3
5. Oros. 5.17.10
6. Cic. *Leg* . 2.14
7. Cic. *Balb* . 48
8. We know the identities of seven Titii holding the tribunate: 462, 99, pre-81, pre-63, 43 BC and two undated.
9. Obseq. 46
10. Confirmed by Cicero (*Leg* . 2.31); ‘Thus the Titian law was annulled by a decree of the college of Augurs.’
11. Cic. *Mur* . 18
12. Val. Max. 8.1, *damn* 2
13. App. *BC* . 1.33
14. Dio. 28. *fr* . 95.2–3
15. Val. Max. 8.1 *damn* 2, also see. Cic. *Rab. Perd* . 25
16. Cic. *Flacc* . 77
17. Cic. *Phil* . 5.8
18. Cic. *Dom* . 53
19. Cic. *Dom* . 41
20. Cic. *Rab. Perd* . 25
21. The year is not absolutely stated, but it cannot be later than 97 BC.
22. Val. Max. 9.2.5
23. Ascon. 67–68C. Also see. Cic. *Balb* . 48-49, *De. Or* . 2.257, *Off* . 3.47, Sall. *Hist* . 1.20M Schol. Bob .129
24. Caius. *Instit* . 1.78–79
25. Cic. *De. Or* . 2.197-204, 124 and 167. Also see *De. Or* . 2.89, 107–109, *Off* . 2.49, Val. Max. 8.5.2
26. Cic. *Font* . 38, *Pis* . 95, *De. Or* . 1.229-231, *Brut* . 115; Liv. *Per* . 70, Vell. 2.13.2, Val. Max. 2.10.5 and 6.4.4, Dio. *fr* . 97.1–3; Flor. 2.5.3,

Oros. 5.17.12–13, Senec. *Benef* . 5.17.2, 6.37.2, *Ep* . 67.7, 98.12, Quint. 5.2.4, 11.1.13, Suet. *Gram* . 6, Athen. 4.168. See R. Kallet-Marx. (1989). ‘Asconius 14-5 Clark and the Date of Q. Mucius Scaevola’s Command in Asia’, *Classical Philology* 84, pp.305–312 and (1990). ‘The Trial of Rutilius Rufus’, *Phoenix* 44, pp.122–139.

27. Cic. *Leg* . 3.42

28. Cic. *ND* . 3.81

29. Cic. *De. Or* . 1.24–25

30. *Ibid.* 1.26

31. See App. *BC* . 1.35, Vell. 2.13.2

32. App. *BC* . 1.36

33. Liv. *Per* . 71

34. Plin. *NH* . 33.13

35. Caepio’s office is never stated in the sources, but his patrician status ruled him out being a tribune. See T. Broughton. (1952). 2, p.24.

36. Plin. *NH* . 33.6. Also see *NH* . 28.41

37. Flor. 2.5.6

38. Liv. *Per* . 71

39. Val. Max. 9.5.2

40. *de. vir. ill* . 66

41. *Ibid.*

42. Cic. *De. Or* . 3.2. Also see Val., Max. 6.2.2, which has Philippus ordering the arrest of Crassus.

43. *Ibid.* 3.6

44. Ascon. 69C. Also see Cic. *Dom* . 41

45. Diod. 37.10.3

46. See Cic. *Dom* . 41 on the clash between religion and the People.

47. Vell. 2.14.3

48. Diod. 37.13

49. Diod. 37.11.1

50. Flor. 2.6.8

51. *de. vir. ill* . 66.6

52. *Ibid.*

53. Vell. 2.14.3

- 54. App. *BC* . 1.36
- 55. Sen. *Dial* . 6.16.4
- 56. Cic. *Rhet. Her* . 4.31
- 57. *de. vir. ill* . 66.6
- 58. Cic. *ND* . 3.80
- 59. T. Broughton. (1952). 2, p.24.
- 60. App. *BC* . 1.38
- 61. Flor. 2.6.8
- 62. Diod. 13.2
- 63. For details of the war, see G. Sampson. (2013).

Chapter Eight: Reform, Resistance and the Roman Army (91–88 BC)

1. They had four consuls by this period (252, 200, 144 and 119 BC) and two attested tribunes (150s and 103 BC).
2. Val. Max. 8.6.4
3. Ascon. 22
4. App. *BC* . 1.37
5. Ibid
6. Cic. *Sest.* . 101, *Scaur.* 5, *Tusc.* . 2.57, Ascon. 22, 73, Quint. 5.12.10, *de. vir. ill.* . 72.11
7. Ascon. 22
8. App. *BC*. 1.37, Cic. *De. Or.* . 3.11, *Brut.* 304–305, Sen. *Dial.* . 12.16.7. See E. Badian. (1969). 'Quaestiones Variae', *Historia* 18, pp.447–491 and E. Gruen. (1965). 'The Lex Varia', *Journal of Roman Studies* 55, pp.59–73 and R. Seager. (1967). 'Lex Varia de Maiestate', *Historia* 16, pp.37–43.
9. App. *BC* . 1.37. Appian is confusing his Romans here; it was in fact a minor Roman politician, L. Memmius.
10. Valerius Maximus (8.6.4) does refer to a prosecution of a C. Cornelius under the law, but not its outcome. There may well have been many more which remain unknown to us thanks to the fragmented nature of the surviving sources for the period.
11. Ascon. 74L
12. Cic. *Brut.* . 306
13. Cic. *Brut.* . 305
14. His colleague P. Rutilius Lupus having been killed in battle.
15. App. *BC* . 1.49. Also see Liv. *Per.* 80. Cic. *Balb.* . 21, Gell 4.4.3, Vell. 2.16.4
16. ILS. 8888, Cic. *Balb.* . 19
17. G. Sampson. (2013).
18. See R. Lewis. (1968). 'Appian BC I, 49, 214: Rome's New Tribes 90–87 BC', *Athenaeum* 46, pp.273–291.
19. See G. Niccolini. (1934), pp.225–229, T. Broughton. (1952). 2, pp.33–34 & 39. There is also a Lex Papiria on coinage reform (Plin. *NH.* . 33.46) but it cannot be accurately attested to this year.

20. Cic. *Arch.* . 7. Also see Vell. 17.1
21. *Schol. Bob.* . 175
22. *Ibid.*
23. In 115/114 BC, the last census for which we have the figure for the citizen body.
24. Ascon. 79C
25. Oros. 5.18.27
26. App. *BC.* . 1.54
27. Val. Max. 9.7.4. Also see Liv. *Per.* . 74
28. App. *BC.* . 1.54
29. Cic. *Brut.* . 226.
30. *Ad. Herenn.* . 2.45
31. See R. Lewis. (1998). 'P. Sulpicius' Law to Recall Exiles, 88 BC', *Classical Quarterly* 48, pp.195–199.
32. It is also referred to by the Periochae of Livy (Liv. *Per.* 77) as a proposal.
33. Plut. *Sull.* 8.2
34. Cic. *Brut.* . 226. Also see Quint. *Inst. Or.* . 6.3.75
35. Ascon. 25C
36. App. *BC.* . 1.55
37. Plut. *Mar.* . 35
38. Plut. *Sull.* . 8
39. App. *BC.* . 1.56
40. Plut. *Sull.* . 8
41. Plut. *Mar.* . 35
42. App. *BC.* . 1.56
43. Plut. *Sull.* . 8
44. Plut. *Mar.* . 35.4
45. Plut. *Sull.* . 8
46. There are no attested consuls prior to Sulla himself, but there are three attested praetors (212, 186 and 175 BC).
47. App. *BC.* . 1.57
48. Plut. *Sull.* . 9
49. A. Keaveney. (1982). *Sulla: The Last Republican* (London), p.52.
50. See R. Morstein-Marx. (2011). 'Consular Appeals to the Army in

88 and 87: the locus of legitimacy in late-Republican Rome', in H. Beck, A. Dupla, M. Jehne and F. Pollo (eds). *Consuls and Res Publica* (Cambridge), pp.259–278.

51. App. *BC* . 1.58

52. Oros. 5.19.5

53. App. *BC* 1.60. Also see Flor. 2.9.6 and Plut. *Sull.* 10.1

54. Vell. 2.19.1

55. Other sources state that he was betrayed by a slave. See Plut. *Sull.* 10.1, Oros. 5.19.6, Val. Max. 6.5.7

56. Plut. *Mar.* . 35–40

57. App. *BC* . 1.60

58. App. *BC* . 1.59

59. Liv. *Per.* . 77

60. Fest. 516L

61. A. Keaveney. (1982), p.59.

62. Plut. *Sull.* . 10.4, Dio. *fr.* . 102

Chapter Nine: Political Reform and Political Slaughter (87–79 BC)

1. Plut. *Sull* . 10.1 names him as M. Virginius.
2. Cic. *Brut* . 179
3. Plut. *Sull* . 10.1
4. Cic. *Font* . 43, Liv. *Per* . 76
5. App. *BC* . 1.64
6. Iul. *Exsup* . 4
7. App. *BC* . 1.64
8. App. *BC* . 1.65
9. Ibid.
10. App. *BC* . 1.65–66
11. Vell. 2.20
12. See G. Sampson (2013).
13. See Plut. *Pomp* . 1, App. *BC* . 1.68, Oros. 5.19.18, Obseq. 56, Gran. Lic. 21
14. Liv. *Per* . 80
15. Flor. 2.9.9
16. App. *BC* . 1.71–72
17. Though command of Spain was under C. Valerius Flaccus.
18. App. *BC* . 1.73
19. See C. Bulst. (1964). ‘Cinnanum Tempus: a reassessment of the “Dominatio Cinnae”’, *Historia* 13, pp.307–337.
20. Vell. 2.24.2
21. Dio. *fr* . 102.12
22. Vell 2.23.2. Also see Cic. *Font* 1.1 and Sall. *Cat* . 33.2.
23. Vell. 2.23.2
24. Cic. *Off* . 3.80. Also see Cic. *Leg* . 3. 36 and Plin. *NH* . 33.132 & 34.27
25. See K. Verboven. (1994), ‘The Monetary Enactment’s of M. Marius Gratidianus’, *Studies in Latin Literature and Roman History* 7, pp. 117–131.
26. Jer. *Chr* . 173.4
27. In 115/114 BC, the last census for which we have the figure for

the citizen body.

28. There are many modern analyses on this; see L. de Ligt. and S. Northwood. (eds.) (2008). *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC – AD 14* (Leiden) and L. de Ligt. (2012). *Peasants, Citizens and Soldiers. Studies in the Demographic History of Roman Italy 225 BC – AD 100* (Cambridge).

29. Liv. *Per* . 84

30. For a detailed analysis of all these events, see G. Sampson (2013).

31. App. *BC* . 1.77

32. App. *BC* . 1.78

33. Cic. *Leg Agr* . 2.89, 92–93, 98

34. See G. Sampson (2013).

35. App. *BC* . 1.88. Also see Cic. *Fam* . 9.21.2, *Rosc. Amer* . 90, Sall. *Cat* . 51.32 & 34, *Hist* . 1.77. Liv. *Per* . 86, Vell. 2.26.2, Val. Max. 9.2.3, Plut. *Pomp* . 9.2–3, Oros. 5.20.4

36. See F. Hinard. (1985). *Les Proscriptions de la Rome Républicaine* (Rome) and J. Henderson. (2003). ‘Sulla’s List: The First Proscription’, *Parallax* 9, pp.39–47.

37. Oros. 5.21.7. The grisly nature of the death retained its notoriety throughout Roman history; see B. Marshall. (1985). ‘Catilina and the Execution of M. Marius Gratidianus’, *Classical Quarterly* 35, pp.124–133.

38. G. Sampson. (2013), pp.195–208.

39. App. *BC* . 1.95

40. A. Keaveney. (2006). ‘The Exile of L. Cornelius Scipio Asiagenus’, *Rheinisches Museum für Philologie* 149, pp.112–114.

41. F. Vervaet. (2004). ‘The Lex Valeria and Sulla’s Empowerment as Dictator (82-79 BC)’, *Cahiers Glotz* 15, pp.37–84.

42. C. Servilius Geminus.

43. App. *BC* . 1.98

44. App. *BC* . 1.101

45. App. *BC* . 1.100

46. Ibid.

47. Liv. *Per* . 89

48. Ibid.

49. Gell. 10.20.10, Sall. *Hist* . 2.21. Unfortunately, the Latin term

Gellius uses *is prohibuerat* .

50. App. *BC* . 1.100

51. Vell. 2.30.4

52. Ibid.

53. F. Vervaet. (2004), p.47.

54. App. *BC* . 1.100

55. App. *BC* . 1.104

56. Cic. *Sull* . 60–62

57. Euseb. *Chron* . 211

58. See A. Keaveney. (2005). ‘The Terminal Date of Sulla’s Dictatorship’, *Athenaeum* 93, pp.423–439.

59. Appian (*BC* . 1.100) also refers to Sulla abolishing certain laws, though we are not told which ones.

60. John of Antioch, fr.68, translated by F. Walton. (1965). ‘A Neglected Historical Text’, *Historia* 14, p.245.

61. See B. Katz. (1975). ‘The First Fruits of Sulla’s March’, *L’Antiquite Classique* 44, pp. 122–125.

Chapter Ten: Reform, Bloodshed and the Defence of the New Republic (79–70 BC)

1. T. Hillman. (1997). 'Pompeius in Africa and Sulla's Orders to demobilize (Plutarch, Pompeius 13, 1–4), *Latomus* 56 , pp.94–106.
2. Plut. *Pomp* . 14.3
3. If we accept that he laid down his dictatorship at the end of 81 BC. See Chapter Nine and see B. Twyman. (1976), pp. 271–295, A. Jenkins. (1994), pp.132–142 and A. Keaveney. (2005), pp.423–439.
4. Cic. *Acad* . 2.1
5. Plut. *Sull* . 34. 7–8. Also see. Plut. *Pomp* . 15.1–2
6. See E. Hardy. (1916). 'The Number of the Sullan Senate', *Journal of Roman Studies* 6, pp.59–62, H. Hill. (1932). 'Sulla's New Senators in 81 BC', *Classical Quarterly* 26, 170–177, J. Hawthorn. (1962). 'The Senate After Sulla', *Greece & Rome* 9, pp. 53–60, F. Santangelo. (2006). 'Sulla and the Senate: A Reconsideration', *Cahiers Glotz* 17, pp.7–22, and (2007). *Sulla, the Elites and the Empire* (Leiden).
7. See V. Arena, V. (2011). 'The consulship of 78 BC. Catulus versus Lepidus: an optimates versus populares affair', in H. Beck, A. Dupla, M. Jehne and F. Pollo (eds). *Consuls and Res Publica* (Cambridge), pp.299–318.
8. T. Carney. (1961). 'The Death of Sulla', *Acta Classica* 4, pp.64–79.
9. App. *BC* . 1.105
10. App. *BC* . 1.107
11. Flor. 2.23.2
12. See L. Hayne. (1972). 'M. Lepidus (cos. 78): A Re-Appraisal', *Historia* 21, pp.661–688.
13. Suet. *Caes* . 3.1
14. G. Sampson (2013), pp.164–173.
15. Oros. 5.22.17
16. Exsup. 39
17. Plut. *Pomp* . 17.3
18. T. Hillman. (1990). 'Pompeius and the Senate: 77-71', *Hermes* 118, pp.444–454.
19. Plut. *Sert* . 22.4
20. Ascon. 81C, Cic. *Corn* . 2, *fr* . 8

21. Cicero (*Brut* . 216-217) has his first name as Cnaeus, but Sallust (Hist. 3.48.8) calls him Lucius.
22. The Sicinii were one of the founding tribunician families and we have eight attested tribunes between 493 and 76 BC.
23. Cic. *Brut* . 216–217. Also see Sall. *Hist* . 2.23L, Quint. 11.3. 129.
24. Sall. *Hist* . 3.48.8
25. See D. Kelly, D. (1970). ‘Evidence for Legislation by Tribunes 81–70 BC’, in. B. Harris (ed.) *Auckland Classical Essays* (Auckland), pp.133–142 and B. Marshall. and J. Beness. (1987). ‘Tribunician Agitation and the Aristocratic Reaction 80–71 BC’, *Athenaeum* 65, pp.361–378.
26. Plut. *Caes* . 4.2
27. Ascon. 84
28. Sall. *Hist* . 2.42
29. Ibid.
30. Sall. *Hist* . 2.44
31. Ascon. 67. Also see Sall. *Hist* . 2.45L & 3.34
32. Cic. *Verr* . 2.1.155, the Latin refers to the powers of *ius intercessio*: ‘*intercessisset contra legem Corneliam*’ .
33. Cic. *Clu* . 136-137, Sall. *Hist* . 3.34.11, Plut. *Luc* . 5.4–5
34. Sall. *Hist* . 3.34.1–28
35. Sall. *Hist* . 3.34.17–18
36. Sall. *Hist* . 3.34.23
37. Ps. Ascon 189 & 220, Cic, *Verr* . 1.45, *Brut* . 223, Sall. *Hist* . 4.43, Plut. *Pomp* . 21.4. App. *BC* . 1.121
38. Velleius (2.30.5) states that it was originally only sixty-four slaves.
39. See G. Sampson. (2008). *The Defeat of Rome. Crassus, Carrhae and the Invasion of the East* (Barnsley), pp.62–68.
40. App. *BC* . 1.121
41. R. Smith. (1960). ‘Pompey’s Conduct in 80 and 77 BC’, *Phoenix* 14, pp.1–13.
42. See G. Sampson (2013), pp.215–216.
43. Cic. *Ver* . 1.1.45
44. Pompeius celebrated a triumph over the Spanish, whilst Crassus received a lesser ovation for his victory over the slaves (based on the nature of the opponent, rather than the threat they posed). 71 BC also

saw triumphs for Metellus Pius for his Spanish campaigns and Lucullus for his Thracian campaigns.

45. Liv. *Per* . 70

46. T. Hillman. (1992). 'Plutarch and the First Consulship of Pompeius and Crassus', *Phoenix* 46, 124–137.

47. Who were both defeated by Spartacus that year.

48. The censorship of 87/86 BC seemingly failed to do this, though we are not given any details.

49. Cic. *Verr* . 2.2.174, 3. 223, *Clu* . 130, *Phil* . 1.20, Liv. *Per* . 97, Vell. 2.32.3, Ascon. 17, 67 and 78, Tac. *Ann* . 3.28, Plut. *Pomp* . 22.4, *Schol. Bob* . 91, 94, 97

50. It does seem, however, that the Sullan ban on the children of the proscribed was still in force.

51. Cic. *Att*. 1.18.6. See R. Smith. (1957). 'The Lex Plotia Agraria and Pompey's Spanish Veterans', *Classical Quarterly* 7, pp.82–85.

52. See G. Sampson (forthcoming). *Rome: Blood & Power. Reform, Murder and Popular Politics in the Late Republic 70–27 BC* .

Appendix One: The Butcher's Bill: Murdered Roman Politicians (133–70 BC)

1. For a fuller treatment of the period, see F. Hinard. (1985).

Appendix Two: Who were the Tribunes?

1. S. Pighius. (1599). *Annales Magistratuum et Provinciarum SPQR ab urbe condita 1* (Antwerp), (1615). *Annales Romanorum 1–3* (Antwerp).

2. F. Garofalo (1889). *I fasti dei tribuni della plebe* (Catania).

3. M. Ziegler. (1903). *Fasti Tribunorum Plebis 133–70* (Ulm).

4. E. Pais. (1918) 'I fasti dei tribuni della plebe', *Ricerche sulla storia e sul diritto pubblico di Roma Volume III* (Pisa).

5. G. Niccolini. (1934). *I fasti dei tribuni della plebe* (Milan).

6. T. Broughton. (1951/2). *Magistrates of the Roman Republic Volumes 1 & 2* (New York), (1960). *Supplement to the Magistrates of the Roman Republic* (New York), (1986). *Supplement to the Magistrates of the Roman Republic* (New York).

7. G. Sampson. (2005), pp.39–181.

8. For the full list with explanations, see G. Sampson (2005), pp.39–

181.

9. The two C. Fannii are usually combined together. However, Cicero clearly states that the tribune, whom he guesses was in the year 142 (it is not confirmed), was separate from the earlier tribune (*Brut* . 101), as this one was the son of Marcus Fannius, to whom he explicitly refers in his letter.

10. Cicero (*Leg. Man* . 58) names a group of men who held a legateship the year after their tribunate, but provides no other firm dates.

11. Known only from an inscription (CIL. 1 ² .2.589).

12. G. Sampson. (2005), pp. 223–284.

13. As well as Broughton's magistrates, we have T. Brennan. (2000) 2, pp.723–764.

14. I. Shatzman. (1975). *Senatorial Wealth and Roman Politics* (Brussels), pp.471–472.

15. When plebeians were eligible to stand for the consulship. The figure is arrived at by deducting 127 tribunes (for the period 493–367 BC) away from our total of 495 clearly attested tribunes.

16. Ibid.

17. Again we have the caveat that on a number of occasions a tribune is named in our sources precisely because he came from a noted *family*

.

18. 86 out of 390.

19. T. Brennan. (2000). 2, pp.723–763.

Appendix Three: The Sources for the Period

1. A. Fear. (2010). *Orosius. Seven Books of History Against the Pagans* (Liverpool).

2. See E. Badian. (1966). 'The Early Historians', in T. Dorey. (ed.). *Latin Historians* (Edinburgh), pp.1–38.

3. T. Cornell. (2013). (ed.). *The Fragments of the Roman Historians Volumes 1–3* (Oxford).

4. B. Frier. (1999). *Libri Annales Pontificum Maximorum*. 2nd Edition (Michigan).

Bibliography

Allen, W. (1938). 'The Source of Jugurtha's Influence in the Roman Senate', *Classical Philology* 33, 90–92.

Arena, V. (2011). 'The consulship of 78 BC. Catulus versus Lepidus: an optimates versus populares affair', in H. Beck, A. Dupla, M. Jehne & F. Pollo (eds). *Consuls and Res Publica* (Cambridge), 299–318

Astin, A. (1960). 'Dicta Scipionis of 131 BC', *Classical Quarterly* 10, 135–139.

_____. (1967). *Scipio Aemilianus* (Oxford).

Badian, E. (1954). 'Lex Acilia Repetundarum', *American Journal of Philology* 75, 374–384.

_____. (1955). 'The Date of Pompey's First Triumph', *Hermes* 83, 107–118.

_____. (1956). 'Q. Mucius Scaevola and the Province of Asia', *Athenaeum* 34, 104–123.

_____. (1957). 'Caepio and Norbanus', *Historia* 6, 318–346.

_____. (1958). *Foreign Clientelae (264–70 BC)* (Oxford).

_____. (1958b) 'Notes on Provincial Governors from the Social War down to Sulla's Victory', *Proceedings of the African Classical Association*, 1–18.

_____. (1962). 'Forschungsbericht: From the Gracchi to Sulla', *Historia* 11, 197–245.

_____. (1962b). 'Waiting for Sulla', *Journal of Roman Studies* 52, 47–61.

_____. (1964). 'The Lex Thoria: A Reconsideration', *Studies in Greek and Roman History* (Oxford), 235–242.

_____. (1969). 'Quaestiones Variae', *Historia* 18, 447–491.

_____. (1970). 'Lucius Sulla: The Deadly Reformer', in A. Dunston (ed.) *Essays on Roman Culture* (Sydney), 35–74.

_____. (1970-71). 'Roman Politics and the Italians (133–91 BC)', *Dialoghi di Archeologia* 4–5, 373–409.

_____. (1972). 'Tiberius Gracchus and the Beginnings of the Roman Revolution', *Aufstieg und Niedergang der Römischen Welt* 1.1, 668–731.

_____. (1983). 'The Silence of Norbanus', *American Journal of Philology* 104, 156–171.

_____. (1984). 'The Death of Saturninus, Studies in Chronology and

Prosopography', *Chiron* 14, 101–147.

_____. (1996). 'Tribuni Plebis and Res Publica', in J. Linderski (ed.). *Imperium Sine Fine: T. Robert S. Broughton and the Roman Republic* (Stuttgart), 187–213.

_____. (2004). 'The Pig and the Priest', in H. Heftner & K. Tomaschitz (eds.) *Ad Fontes! Festschrift für Gerhard Dobesch* (Wien), 263–272.

Balsdon, J. (1951). 'Sulla Felix', *Journal of Roman Studies* 41, 1–10.

Barlow, C. (1980). 'The Roman Government and the Roman Economy, 92-80 BC', *American Journal of Philology* 101, 202–219.

Bauman, R. (1973). 'The Hostis Declarations of 88 and 87 BC', *Athenaeum* 51, 270–293.

_____. (1979). 'The Gracchan Agrarian Commission: Four Questions', *Historia* 28, 385–408.

Becker, J. (1964). 'The Influence of Roman Stoicism upon the Gracchan Economic Land Reforms', *Parola del Passato* 19, 125–134.

Beness, J. (1991). 'The Urban Unpopularity of Lucius Appuleius Saturninus', *Antichthon* 25, 33–61.

_____. (2000). 'The Punishment of the Gracchani and the Execution of C. Villius in 133–132', *Antichthon* 34, 1–17.

_____. (2005). 'Scipio Aemilianus and the Crisis of 129 BC', *Historia* 54, 37–48.

_____. (2009). 'Carbo's Tribune of 129 and the associated Dicta Scipionis', *Phoenix* 63, 60–72.

Beness, J and Hillard, T. (1990). 'The Death of L. Equitius on 10 December 100 BC', *Classical Quarterly* 40, 269–272.

_____. (2001). 'The Theatricality of the Deaths of C. Gracchus and Friends', *Classical Quarterly* 51, 135–140.

_____. (2008). 'From Marius to Sulla. Part 1', *Ancient History* 38, 56–83.

_____. (2012). 'Another Voice against the Tyranny of Scipio Aemilianus in 129 BC?', *Historia* 61, 270–281.

Bernstein, A. (1978). *Tiberius Sempronius Gracchus, Tradition and Apostasy* (Ithaca)

Bispham, E. (2007). *From Asculum to Actium: The Municipalization of Italy from the Social War to Augustus* (Oxford).

Boren, H. (1956). 'Livius Drusus, t.p.122, and his Anti-Gracchan

Program', *Classical Journal* 52, 27–36.

_____. (1958). 'The Urban Side of the Gracchan Economic Crisis', *American Historical Review* 63, 890–902.

_____. (1961). 'Tiberius Gracchus: The Opposition View', *American Journal of Philology* 82, 358–369.

_____. (1968). *The Gracchi* (New York).

Botsford, G. (1909). *The Roman Assemblies from their Origin to the End of the Republic* (New York).

Breed, B, Damon, C and Rossi, A. (2010). *Citizens of Discord. Rome and its Civil Wars* (Oxford).

Brown, R. (2003). 'The Terms *Bellum Sociale* and *Bellum Civile* in the Late Republic', *Studies in Latin Literature and Roman History* 11, 94–120.

Brennan, T. (1992). 'Sulla's Career in the Nineties', *Chiron* 22, 103–158.

Briscoe, J. (1974). 'Supporters and Opponents of Tiberius Gracchus', *Journal of Roman Studies* 64, 125–135.

_____. (1992). 'Political Groupings in the Middle Republic: A Restatement', *Studies in Latin Literature and Roman History VI*, 70–83.

Broughton, T. (1951/2). *The Magistrates of the Roman Republic Volume 1 & 2* (New York).

_____. (1960). *Supplement to the Magistrates of the Roman Republic* (New York).

_____. (1986). *Supplement to the Magistrates of the Roman Republic* (New York).

Brunt, P. (1962). 'The Army and the Land in the Roman Revolution', *Journal of Roman Studies* 52, 69–86.

_____. (1971). *Italian Manpower 225 BC – A.D. 14* (Oxford).

_____. (1971b). *Social Conflicts in the Roman Republic* (London).

_____. (1988). *The Fall of the Roman Republic and Related Essays* (Oxford).

Bruun, C. (2000). (ed.) *The Roman Middle Republic. Politics, Religion, and Historiography c.400–133 BC* (Rome).

Bulst, C. (1964). 'Cinnanum Tempus: a reassessment of the "Dominatio Cinnae"', *Historia* 13, 307–337.

Cagniart, P. (1991). 'L. Cornelius Sulla in the Nineties: a Reassessment', *Latomus* 50, 285–303.

- Carney, T. (1958). 'The Death of Marius', *Acta Classica* 1, 117–122.
- _____. (1961). 'The Death of Sulla', *Acta Classica* 4, 64–79.
- _____. (1961b). 'The Flight and Exile of Marius', *Greece & Rome* 8, 98–121.
- _____. (1970). *A Biography of C. Marius* (Chicago).
- Chapman, C. (1979). 'Cicero and Sulpicius Rufus (tr. pl. 88 BC)', *Acta Classica* 22, 61–72.
- Cornell, T. (1995). *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic War* (London).
- _____. (2000). 'The Lex Ovinia and the Emancipation of the Senate', in C. Bruun (ed.). *The Roman Middle Republic. Politics, Religion, and Historiography c.400–133 BC* (Rome), 69–89.
- _____. (2013). (ed.). *The Fragments of the Roman Historians Volumes 1–3* (Oxford)
- D'Arms, E. (1935). 'The Date and Nature of the Lex Thoria', *American Journal of Philology* 56, 232–245.
- Dart, C. (2010). 'Deceit and the Struggle for Roman Franchise in Italy' in A. Turner, K. O. Chong-Gossard and F. Vervaeke (eds.) *Public and Private Lies: The Discourse of Despotism and Deceit*. (Leiden), 91–105.
- _____. (2011). 'The Impact of the Gracchan Land Commission and the Dandis Power of the Triumvirs', *Hermes* 139, 337–357.
- _____. (2014). *The Social War, 91 to 88 BC: A History of the Italian Insurgency against the Roman Republic* (Abingdon).
- de Ligt, L. (2004). 'Poverty and Demography: The Case of the Gracchan Land Reforms', *Mnemosyne* 57, 725–757.
- _____. (2007). 'Roman Manpower Resources and the Proletarianization of the Roman Army in the Second Century BC', in L. de Blois and E. Lo Cascio (eds.) *The Impact of the Roman Army (200 BC – AD 476). Economic, Social, Political. Religious and Cultural Aspects* (Leiden), 3–20.
- _____. (2007b). 'Some Thoughts on the Nature of the Demographic 'Crisis' of the Second Century BC', in O. Hekster, G de Kleijn & D. Sliemers (eds). *Crises and the Roman Empire* (Leiden), 167–181.
- _____. (2008). 'Provincial dediticii in the Epigraphic Lex Agraria of 111 BC?', *Classical Quarterly* 58, 356–362.
- _____. (2012). *Peasants, Citizens and Soldiers. Studies in the Demographic History of Roman Italy 225 BC – AD 100* (Cambridge).

de Ligt, L. and Northwood, S. (eds.) (2008). *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC – AD 14* (Leiden).

Develin, R. (1975). 'Comitia Tributa Plebis', *Athenaeum* 53, 302–337.

_____. (1976). 'C. Flaminius in 232 BC', *L'Antiquite Classique* 45, 638–643.

_____. (1977). 'Comitia Tributa Again', *Athenaeum* 55, 425–426.

_____. (1978). 'The Third Century Reform of the Comitia Centuriata', *Athenaeum* 56, 346–377.

_____. (1978b). 'The Atinian Plebiscite, Tribunes and the Senate', *Classical Quarterly* 28, 141–144.

_____. (1978c). 'Provocatio and Plebiscite', *Mnemosyne* 31, 45–60.

_____. (1978c). 'The Lex Agraria of 111 BC and Procedure in Legislative Assemblies', *Antichthon* 12, 45–50.

_____. (1979). 'The Political Position of C. Flaminius', *Rheinisches Museum für Philologie* 122, 268–277.

_____. (1979b). *Patterns in Office Holding 366–49 BC* (Brussels).

_____. (1981). 'A Peculiar Restriction on Candidacy for Plebeian Office', *Antichthon* 15, 111–117.

_____. (1985). *The Practice of Politics at Rome 366–167 BC* (Brussels).

_____. (1986). 'The Integration of the Plebeians after 366 BC', in K. Raafaub (ed.). *Social Struggles in Archaic Rome* (Berkeley), 327–352.

Douglas, A. (1956). 'The Legislation of Spurius Thorius', *American Journal of Philology* 77, 376–395.

Dowling, M. (2000). 'The Clemency of Sulla', *Historia* 49, 303–340.

Earl, D. (1960). 'M. Octavius, trib. pleb. 133 BC and his successor', *Latomus* 19, 657–669.

_____. (1963). *Tiberius Gracchus: A Study in Politics* (Brussels).

_____. (1965). 'Tiberius Gracchus' Last Assembly', *Athenaeum* 43, 95–105.

Epstein, D. (1987). *Personal Enmity in Roman Politics 218 – 43 BC* (New York).

Erdkamp, P. (2000). 'Feeding Rome, or Feeding Mars? A Long-Term Approach to C. Gracchus' Lex Frumentaria', *Ancient Society* 30, 53–70.

_____. (2006). 'The transformation of the Roman army in the Second

century BC', in T. Naco del Hoyo (ed.) *War and Territory in the Roman World* (Oxford), 41–57.

_____. (2007). 'Polybius and Livy on the Allies in the Roman Army', in L. de Blois. & E. Lo. Cascio (eds.) *The Impact of the Roman Army (200 BC – AD 476). Economic, Social, Political. Religious and Cultural Aspects* (Leiden), 47–74.

_____. (2008). 'Mobility and Migration in Italy in the Second Century BC', in L. de Ligt & S. Northwood (eds.) *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC – AD 14* (Leiden), 417–450.

Evans, R. (1983). 'The "Consulares" and "Praetorii" in the Roman Senate at the beginning of Sulla's Dictatorship', *Athenaeum* 61, 521–528.

_____. (1987). 'Metellus Numidicus and the Elections for 100 BC', *Acta Classica* 30, 65–68.

_____. (1994). *Gaius Marius: A Political Biography* (Pretoria).

_____. (1997). 'The Augustan "Purge" of the Senate and the Census of 86 BC', *Acta Classica* 40, 77–86.

_____. (2004). 'The military reputation of Gaius Marius', *Questioning Reputations* (Pretoria), 11–35.

_____. (2004b). 'Pompey in the 70s', *Questioning Reputations* (Pretoria), 37–64.

_____. (2004c). 'The characters of Drusus and Sulpicius', *Questioning Reputations* (Pretoria), 133–159.

_____. (2008). 'Gaius and Marcus Marius in Iberia and Gaul: Family Affairs and Provincial Clients', *Acta Classica* 50, 77–90.

Farrell, J. (1986). 'The Distinction between Comitia and Concilium', *Athenaeum* 64, 407–438.

Feig-Vishnia, R. (1987). 'Caius Flaminius and the Lex Metilia de Fullonibus', *Athenaeum* 65, 527–534.

_____. (1996). 'Cicero "De Senectute" 11, and the Date of C. Flaminius' Tribune', *Phoenix* 50, 138–145.

Flower, H. (2010). *Roman Republics* (Princeton).

_____. (2010b). 'Rome's First Civil War and the Fragility of Republican Political Culture', in B. Breed, C. Damon and A. Rossi (eds.) *Citizens of Discord*, 73–86.

Frank, T. (1930). 'Roman Census Statistics from 508 to 225 BC', *American Journal of Philology* 51 (1930), 313–324.

Frier, B. (1971). 'Sulla's Propaganda: The Collapse of the Cinnan Republic', *American Journal of Philology* 92, 585–604.

Gabba, E. (1976). *Republican Rome, The Army and the Allies* (Oxford).

Garnsey, P. & Rathbone, D. (1985). 'The Background to the Grain Law of Gaius Gracchus', *Journal of Roman Studies* 75, 20–25.

Garofalo, F. (1889). *I fasti dei tribuni della plebe della repubblica romana* (Catania).

Geer, R. (1938). 'The Scipios and the Father of the Gracchi', *Transactions and Proceedings of the American Philological Association* 69, 381–388.

Gruen, E. (1965). 'The Lex Varia', *Journal of Roman Studies* 55, 59–73.

_____. (1966). 'Political Prosecutions in the 90's BC', *Historia* 15, 32–64.

_____. (1974). *The Last Generation of the Roman Republic* (Berkeley)

Gwyn-Morgan, M and Walsh, J. (1978). 'Ti. Gracchus (Tr. Pl. 133 BC), The Numantine Affair and the Deposition of M. Octavius', *Classical Philology* 73, 200–210.

Hall, U. (1964). 'Voting Procedure in Roman Assemblies', *Historia* 13, 267–305.

_____. (1972). 'Appian, Plutarch and the Tribunician Elections of 123 BC', *Athenaeum* 50, 3–33.

_____. (1977). 'Notes on M. Fulvius Flaccus', *Athenaeum* 55, 280–288.

Hands, A. (1965). 'The Political Background of the Lex Acilia de Repetundis', *Latomus* 24, 225–237.

_____. (1967). 'Livius Drusus and the Courts', *Phoenix* 26, 268–274.

_____. (1976). 'Land and Citizenship, 125-122 BC', *Mnemosyne* 29, 176–180.

Hardy, E. (1910). 'Were the Lex Thoria of 118 BC and the Lex Agraria of 111 BC Reactionary Laws?', *Journal of Philology* 31, 268–286.

_____. (1912). 'Notes on the Lex Judiciaria of G. Gracchus, the Lex Servilia of Caepio and the Lex Thoria', *Journal of Philology* 32, 96–106.

_____. (1916). 'The Number of the Sullan Senate', *Journal of Roman Studies* 6, 59–62.

Harris, W. (1972). 'Was Roman Law imposed on the Italian Allies?', *Historia* 21, 639–645.

_____. (1982). 'The Italians and the Empire', in W. Harris (ed.) *The Imperialism of Mid-Republican Rome* (Rome), 89–107.

_____. (1990). 'On Defining the Political Culture of the Roman Republic: Some Comments on Rosenstein, Williamson and North', *Classical Philology* 85, 288–294.

Hawthorn, J. (1962). 'The Senate After Sulla', *Greece & Rome* 9, 53–60.

Hayne, L. (1972). 'M. Lepidus (cos. 78): A Re-Appraisal', *Historia* 21, 661–688.

Heftner, H. (2006). 'Der Beginn von Sullas Proskriptionen', *Tyche* 21, 33–52.

Henderson, J. (2003). 'Sulla's List: The First Proscription', *Parallax* 9, 39–47.

Hill, H. (1932). 'Sulla's New Senators in 81 BC', *Classical Quarterly* 26, 170–177

Hillard, T. (1996). 'Death by Lightning, Pompeius Strabo and the People', *Rheinisches Museum für Philologie* 139, 136–145.

Hillman, T. (1990). 'Pompeius and the Senate: 77-71', *Hermes* 118, 444–454.

_____. (1992). 'Plutarch and the First Consulship of Pompeius and Crassus', *Phoenix* 46, 124–137.

_____. (1996). 'Cinna, Strabo's Army, and Strabo's Death in 87 BC', *L'Antiquité Classique* 65, 81–89.

_____. (1997). 'Pompeius in Africa and Sulla's Orders to demobilize (Plutarch, Pompeius 13, 1–4), *Latomus* 56, 94–106.

_____. (1997b). 'The Serpent and the Flower: Pompeius Strabo and Q. Sertorius, 89–87 BC', *Studies in Roman History and Latin Literature* VIII, 85–115.

Hopkins, K. (1983). 'The Supposed Manpower Shortage of the Later Second Century', *Historia* 32, 287–331.

Howarth, R. (1999). 'Rome, the Italians, and the Land', *Historia* 48, 282–300.

Husband, R. (1916). 'On the Expulsion of Foreigners from Rome', *Classical Philology*, 315–333.

Jenkins, A. (1994). 'Sulla's Retirement', *Studies in Roman History*

Kallet-Marx, R. (1989). 'Asconius 14-5 Clark and the Date of Q. Mucius Scaevola's Command in Asia', *Classical Philology* 84, 305–312.

_____. (1990). 'The Trial of Rutilius Rufus', *Phoenix* 44, 122–139.

Kaplan, A. (1977). *Dictatorships and 'Ultimate' Decrees in the Early Roman Republic 501–202 BC* (New York).

Katz, B. (1975). 'The First Fruits of Sulla's March', *L'Antiquité Classique* 44, 100–125.

_____. (1976). 'Studies on the Period of Cinna and Sulla', *L'Antiquité Classique* 45, 497–549.

_____. (1976b). 'The Siege of Rome in 87 BC', *Classical Philology* 71, 328–336.

_____. (1977). 'Caesar Strabo's Struggle for the Consulship – and more', *Rheinisches Museum für Philologie* 120, 45–62.

_____. (1979). 'The Selection of L. Cornelius Merula', *Rheinisches Museum für Philologie* 122, 162–166.

Katz, S. (1942). 'The Gracchi: An Essay in Interpretation', *Classical Philology* 38, 65–82.

Keaveney, A. (1978). 'Pompeius Strabo's Second Consulship', *Classical Quarterly* 28, 240–241.

_____. (1979). 'Sulla, Sulpicius and Caesar Strabo', *Latomus* 38, 451–460.

_____. (1982). *Sulla: The Last Republican* (London).

_____. (1982b). 'Young Pompey: 106-79 BC', *L'Antiquité Classique* 51, 111–139.

_____. (1983). 'What Happened in 88?', *Eirene* 20, 53–86.

_____. (1983b). 'Studies in the Dominatio Sullae', *Klio* 65, 185–203.

_____. (1983c). 'Caesars in the Social War', *Rheinisches Museum für Philologie* 126, 273–281.

_____. (1984). 'Who were the Sullani?', *Klio* 66, 114–150.

_____. (2005). 'The Terminal Date of Sulla's Dictatorship', *Athenaeum* 93, 423–439.

_____. (2006). 'The Exile of L. Cornelius Scipio Asiagenus' *Rheinisches Museum für Philologie* 149, 112–114.

_____. (2007). *The Army in the Roman Revolution* (London).

_____. (2010). 'Cicero Pro Sulla 60-62 and the Sullan Settlement of Italy', *Athenaeum* 98, 127–138.

Kelly, D. (1970). 'Evidence for Legislation by Tribunes 81–70 BC', in B. Harris (ed.) *Auckland Classical Essays* (Auckland), 133–142.

Kildahl, P. (1968). *Caius Marius* (New York).

Lewis, R. (1968). 'Appian BC I, 49, 214: Rome's New Tribes 90–87 BC', *Athenaeum* 46, 273–291.

_____. (1998). 'P. Sulpicius' Law to Recall Exiles, 88 BC', *Classical Quarterly* 48, 195–199.

Linderski, J. (2002). 'The Pontiff and the Tribune: The Death of Tiberius Gracchus', *Athenaeum* 90, 340–366.

Lintott, A. (1968). *Violence in Republican Rome* (Oxford).

_____. (1971). 'The Tribunate of P. Sulpicius Rufus', *Classical Quarterly* 21, 442–453.

_____. (1992). *Judicial reform and land reform in the Roman Republic* (Cambridge).

_____. (1999). *The Constitution of the Roman Republic* (Oxford).

Lovano, M. (2002). *The Age of Cinna: Crucible of Late Republican Rome* (Stuttgart).

Luce, T. (1970). 'Marius and the Mithridatic Command', *Historia* 19, 161–194.

Maddox, G. (1983). 'The Economic Causes of the Lex Hortensia', *Latomus* 42, 277–286.

Malden, H. (1886). 'The Battle at the Colline Gate, BC 82', *Journal of Philology* 15, 103–110.

Marshall, B. (1972). 'The Lex Plotia Agraria', *Antichthon* 6, 43–52.

_____. (1985). 'Catilina and the Execution of M. Marius Gratidianus', *Classical Quarterly* 35, 124–133.

Marshall, B. and Beness, J. (1987). 'Tribunician Agitation and the Aristocratic Reaction 80–71 BC', *Athenaeum* 65, 361–378.

Mattingly, H. (1930). 'Tribunicia Potestate', *Journal of Roman Studies* 20, 78–91.

_____. (1969). 'Saturninus' Corn Bill and the Circumstances of His Fall', *Classical Review* 19, 267–270.

McDermott, W. (1977). 'Lex De Tribunicia Potestate (70 BC)', *Classical Philology* 72, 49–52.

Millar, F. (1984). 'The Political Character of the Classical Roman Republic 200–151 BC', *Journal of Roman Studies* 1–19.

_____. (1986). 'Politics, Persuasion and the People before the Social

War (150–90 BC)', *Journal of Roman Studies* 76, 1–11.

_____. (1989). 'Political Power in Mid-Republican Rome: Curia or Comitium?', *Journal of Roman Studies* 79, 138–150.

_____. (1995). 'Popular Politics at Rome in the Late Republic', in I. Malkin and Z. Rubinsohn (eds.) *Leaders and Masses in the Roman world: studies in honour of Zvi Yavetz* (Leiden), 91–113.

Mitchell, R. (1973). 'The Aristocracy of the Roman Republic', in F. Jaher (ed.) *The Rich, the Well Born, and the Powerful: Elites and Upper Classes in History* (Illinois), 27–63.

_____. (1986). 'The Definition of Patres and Plebs: an end to the Struggle of the Orders', in K. Raafaub. (ed.) *Social Struggles in Archaic Rome* (Berkeley), 130–174.

_____. (1990). *Patricians and Plebeians: The Origins of the Roman State* (Ithaca).

_____. (1995). 'Demands for Land Redistribution and Debt Reduction in the Roman Republic', in K. Irani and M. Silver (eds.) *Social Justice in the Ancient World* (Westport), 199–214.

_____. (1996). 'Ager Publicus: Public Property and Private Wealth During the Roman Republic', in M. Hudson and B. Levine (eds.) *Privatisation in the Ancient Near East and Classical World* (Harvard), 253–291.

Mitchell, T. (1971). 'Cicero and the Senatus "consultum ultimum"', *Historia* 20, 47–61.

_____. (1975). 'The Volte-Face of P. Sulpicius Rufus', *Classical Philology* 70, 197–204.

Morgan, M and Walsh, J. (1978). 'Ti. Gracchus (TR.PL.133 BC), The Numantine Affair and the Deposition of M. Octavius', *Classical Philology* 73, 200–210.

Morstein-Marx, R. (2011). 'Consular Appeals to the Army in 88 and 87: the locus of legitimacy in late-Republican Rome', in H. Beck, A. Dupla, M. Jehne and F. Pollo (eds). *Consuls and Res Publica* (Cambridge), 259–278.

Mouritsen, H. (2001). *Plebs and Politics in the Late Roman Republic* (Cambridge).

_____. (2006). 'Gaius Gracchus and the Cives Sine Suffragio', *Historia* 55, 418–423.

_____. (2007). 'The Civitas Sine Suffragio: Ancient Concepts and Modern Ideology', *Historia* 56, 141–158.

_____. (2008). 'The Gracchi, the Latins, and the Italian Allies', in L. de Ligt and S. Northwood (eds.) *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC-AD 14* (Leiden), 471–483.

Munzer, F. (1999). *Roman Aristocratic Parties and Families*, trans. T. Ridley (Baltimore).

Nagle, D. (1970). 'The Failure of the Roman Political Process on 133 BC', *Athenaeum* 48, 372–394.

_____. (1971). 'The Failure of the Roman Political Process in 133 BC Part II', *Athenaeum* 49, 111–128.

Niccolini, G. (1932). *Il tribunato della plebe* (Milan).

_____. (1934). *I fasti dei tribuni della plebe* (Milan).

North, J. (1990). 'Democratic Politics in Republican Rome', *Past and Present* 126, 3–21.

_____. (1990b) 'Politics and Aristocracy in the Roman Republic', *Classical Philology* 85, 277–287.

Pais, E. (1918). *Ricerche sulla storia e sul diritto pubblico di Roma* III (Pisa).

Panitschek, P. (1989). 'Sp. Cassius, Sp. Maelius, M. Manlius als exempla maiorum', *Philologus* 133, 231–245.

Pighius, S. (1599). *Annales Magistratuum et Provinciarum* (Antwerp).

_____. (1615). *Annales Romanorum* 1–3 (Antwerp).

Pinsent, J. (1975). *Military Tribunes and Plebeian Consuls: The Fasti from 444V to 342 V* (Wiesbaden).

Powell, J. (1990). 'The Tribune Sulpicius', *Historia* 39, 446–460.

Ramage, E. (1991). 'Sulla's Propaganda', *Klio* 73, 93–121.

Reams, L. (1993). 'Censorinus, Sulla and Marius', *Rheinisches Museum für Philologie* 136, 281–288.

Reiter, W. (1978). 'M. Fulvius Flaccus and the Gracchan Coalition', *Athenaeum* 56, 125–144.

Rich, J. (1983). 'The Supposed Manpower Shortage of the Later Second Century BC', *Historia* 32, 287–331.

_____. (2007). 'Tiberius Gracchus, Land and Manpower', in O. Hekster, G de Kleijn and D. Slootjes (eds). *Crises and the Roman Empire* (Leiden), 155–166.

Richard, J. (1986). 'Patricians and Plebeians: The Origin of a Social Dichotomy', in K. Raaflaub (ed.) *Social Struggles in Archaic Rome*

(Berkeley), 105–129.

Richardson, J. (1980). 'The Ownership of Roman Land: Tiberius Gracchus and the Italians', *Journal of Roman Studies* 70, 1–11.

Ridley, R. (1968). 'Notes on the Establishment of the Tribune of the Plebs', *Latomus* 27, 535–554.

_____. (2000). 'The Dictator's Mistake: Caesar's Escape from Sulla', *Historia* 49, 211–229.

_____. (2003). 'The Contradictory Revolution: The Italian War (91-89)', *Ancient History* 33, 31–57.

Rose, H. (1922). 'Patricians and Plebeians at Rome', *Journal of Roman Studies* 12, 106–133.

Roselaar, S. (2012). *Processes of Integration and Identity Formation in the Roman Republic* (Leiden).

Rosenstein, N. (1993). 'Competition and Crisis in Mid-Republican Rome', *Phoenix* 47, 313–338.

_____. (2008). 'Revolution and Rebellion in the Later Second and Early First Centuries BC: Jack Goldstone and the 'Roman Revolution'', in L. de Ligt and S. Northwood (eds.). *People, Land and Politics, Demographic Developments and the Transformation of Roman Italy 300 BC-AD 14* (Leiden), 605–630.

Rotondi, G. (1912). *Leges Publicae Populi Romani* (Milan).

Rowland, R. (1964). *Roman Grain Legislation 133-50 BC* (Michigan).

_____. (1965). 'C. Gracchus and the Equites', *Transactions and Proceedings of the American Philological Association* 96, 361–373.

_____. (1967). 'Saturn, Saturninus, and the Socii', *Classical Philology* 62, 185–189.

_____. (1969). 'The Italians and Saturninus', *Classical Philology* 64, 38–40.

_____. (1969). 'The Development of Opposition to C. Gracchus', *Phoenix* 23, 372–379.

Ryan, F. (1996). 'The Lectio Senatus after Sulla', *Rheinisches Museum für Philologie* 139, 189–191.

_____. (1998). *Rank and Participation in the Republican Senate* (Stuttgart).

Salmon, E. (1936). 'Roman Colonisation from the Second Punic War to the Gracchi', *Journal of Roman Studies* 26, 47–67.

_____. (1953). 'Rome and the Latins: I', *Phoenix* 7, 93–104.

- _____. (1953b). 'Rome and the Latins: II', *Phoenix* 7, 123–135.
- _____. (1955). 'Roman Expansion and Roman Colonization in Italy', *Phoenix* 9, 63–75.
- _____. (1958). 'Notes on the Social War', *Transactions and Proceedings of the American Philological Association* 89, 159–184.
- _____. (1962). 'The Cause of the Social War', *Phoenix* 16, 107–119.
- _____. (1970-71). 'Discussion on the Period 130-80 BC', *Dialoghi di Archeologia* 4–5, 371–372.
- Sampson, G. (2005). *A re-examination of the office of the Tribune of the Plebs in the Roman Republic (494 – 23 BC)* (Unpublished thesis).
- _____. (2008). *The Defeat of Rome. Crassus, Carrhae and the Invasion of the East* (Barnsley).
- _____. (2010). *The Crisis of Rome. The Jugurthine and Northern Wars and the Rise of Marius* (Barnsley).
- _____. (2013). *The Collapse of Rome. Marius, Sulla and the First Civil War (91–70 BC)* (Barnsley).
- _____. (2016). *Rome Spreads Her Wings: Territorial Expansion Between the Punic Wars* (Barnsley).
- Sandberg, K. (1993). 'The Concilium Plebis as a Legislative Body', in J. Vaahtera (ed.). *Senatus Populusque Romanus* (Helsinki), 74–97.
- _____. (2000). 'Tribunician and Non-Tribunician Legislation in Mid-Republican Rome', in C. Bruun (ed.). *The Roman Middle Republic. Politics, Religion, and Historiography c.400–133 BC* (Rome), 121–140.
- _____. (2001). *Magistrates and Assemblies. A Study of Legislative Practice in Republican Rome* (Rome).
- Santangelo, F. (2006). 'Sulla and the Senate: A Reconsideration', *Cahiers Glotz* 17, 7–22.
- _____. (2007). *Sulla, the Elites and the Empire* (Leiden).
- _____. (2015). *Marius* (London).
- Schovánek, J. (1972). 'The Date of M. Octavius and his Lex Frumentaria', *Historia* 21, 235–243.
- Scochat, Y. (1980). *Recruitment and the Programme of Tiberius Gracchus* (Brussels).
- Scullard, H. (1951). *Roman Politics 220–150 BC* (Oxford).
- Seager, R. (1971). 'The Date of Saturninus' Murder', *Classical Review* 17, 9–10.
- _____. (1967c). 'Lex Varia de Maiestate', *Historia* 16, 37–43.

Shatzman, I. (1974). 'Scaurus, Marius and the Metelli: A Prosopographical-Factional Case', *Ancient Society* 5, 197–222.

Sherwin-White, A. (1956). 'Violence in Roman Politics', *Journal of Roman Studies* 46, 1–9.

_____. (1972). 'The Date of the Lex Repetundarum and its Consequences', *Journal of Roman Studies* 62, 83–99.

_____. (1973). *The Roman Citizenship* (Oxford).

_____. (1982). 'The Lex Repetundarum and the Political Idea of Gaius Gracchus', *Journal of Roman Studies* 72, 18–31.

Shochat, V. (1970). 'The Lex Agraria of 133 BC and the Italian Allies', *Athenaeum* 48, 25–45.

Smith, R. (1957). 'The Lex Plotia Agraria and Pompey's Spanish Veterans', *Classical Quarterly* 7, 82–85.

_____. (1960). 'Pompey's Conduct in 80 and 77 BC', *Phoenix* 14, 1–13.

_____. (1977). 'The Use of Force in Passing Legislation in the Late Republic', *Athenaeum* 55, 150–174.

Spann, P. (1987). *Quintus Sertorius and the Legacy of Sulla* (Arkansas).

Staveley, E. (1953). 'The Significance of the Consular Tribune', *Journal of Roman Studies* 43, 30–36.

_____. (1955). 'Tribal Legislation before the Lex Hortensia', *Athenaeum* 33, 3–31.

_____. (1955b). 'Provocatio during the Fifth and Fourth Centuries', *Historia* 3, 412–428.

Stockton, D. (1973). 'The First Consulship of Pompey', *Historia* 22, 205–218.

_____. (1979). *The Gracchi* (Oxford).

Sumner, G. (1978). 'Sulla's Career in the Nineties', *Athenaeum* 56, 395–396.

Taylor, L. (1960). *The Voting Districts of the Roman Republic* (Rome).

_____. (1962). 'Forerunners of the Gracchi', *Journal of Roman Studies* 52, 19–27.

_____. (1963). 'Was Tiberius Gracchus' Last Assembly Electoral or Legislative?', *Athenaeum* 41, 51–69.

_____. (1966). 'Appian and Plutarch on Tiberius Gracchus' Last Assembly', *Athenaeum* 44, 238–250.

- _____. (1966). *Roman Voting Assemblies* (Michigan).
- Thein, A. (2006). 'Sulla the weak tyrant', in S. Lewis (ed.) *Ancient Tyranny* (Edinburgh), 238–249.
- Twyman, B. (1976). 'The Date of Sulla's Abdication and the Chronology of the First Book of Appian's Civil War', *Athenaeum* 54, 271–295.
- Van Ooteghem, J. (1964). *Caius Marius* (Brussels).
- Verboven, K. (1994). 'The Monetary Enactment's of M. Marius Gratidianus', *Studies in Latin Literature and Roman History* 7, 117–131.
- Vervaet, F. (2004). 'The Lex Valeria and Sulla's Empowerment as Dictator (82-79 BC)', *Cahiers Glotz* 15, 37–84.
- _____. (2009). 'Pompeius' Career from 79 to 70 BC: Constitutional, Political and Historical Considerations', *Klio* 91, 406–434.
- Von Fritz, K (1950). 'The Reorganisation of the Roman Government in 366 BC and the so-called Licinio-Sextian Laws', *Historia* 1, 3–44.
- Von Ungern-Sternberg, J. (1986). 'The End of the Conflict of the Orders', in K. Raaflaub (ed.) *Social Struggles in Archaic Rome* (Berkeley), 353–378.
- Ward, L. (1990). 'Roman Population, Territory, Tribe, City, and Army Size from the Republic's Founding to the Veientane War, 509 BC–400 BC', *American Journal of Philology* 111, 5–39.
- _____. (1905). 'Notes on Gaius Gracchus', *English Historical Review* 20, 209–227.
- Weinrib, E. (1970). 'The Judiciary Law of M. Livius Drusus (tr. pl 91 BC)', *Historia* 19, 414–443.
- Williamson, C. (1990). 'The Roman Aristocracy and Positive Law', *Classical Philology* 85, 266–276.
- Yakobson, A. (1995). 'Secret Ballot and its Effects in the Late Roman Republic', *Hermes* 123, 426–442.
- _____. (1999). *Elections and Electioneering in Rome* (Stuttgart).
- Yavetz, Z. (1962). 'The Policy of C. Flaminius and the Plebiscitum Claudianum', *Athenaeum* 40, 325–344.
- Ziegler, M. (1903). *Fasti Tribunorum Plebis*, 133–70 (Ulm).



The Roman Forum.



Ruins of Carthage.



Modern statue of the Gracchan brothers as children.



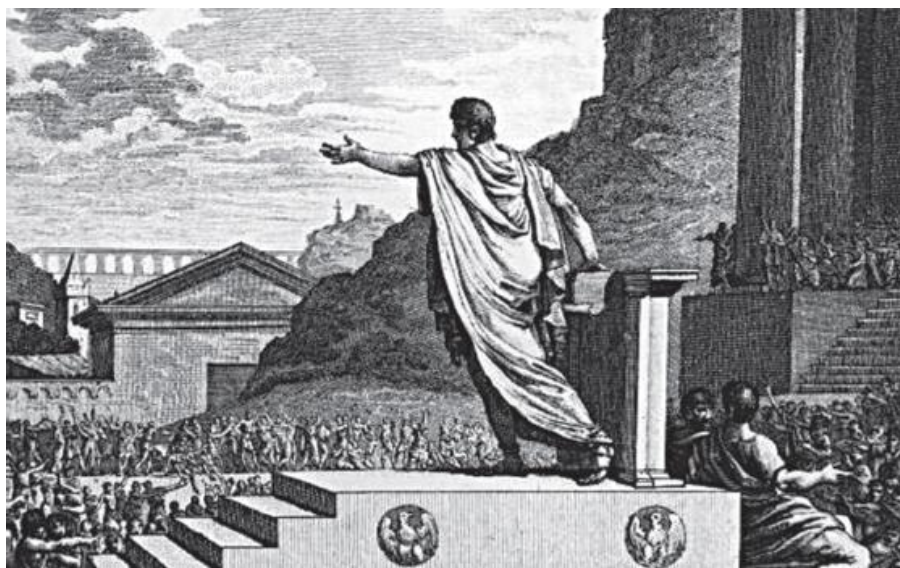
Modern statue of the Gracchan brothers.



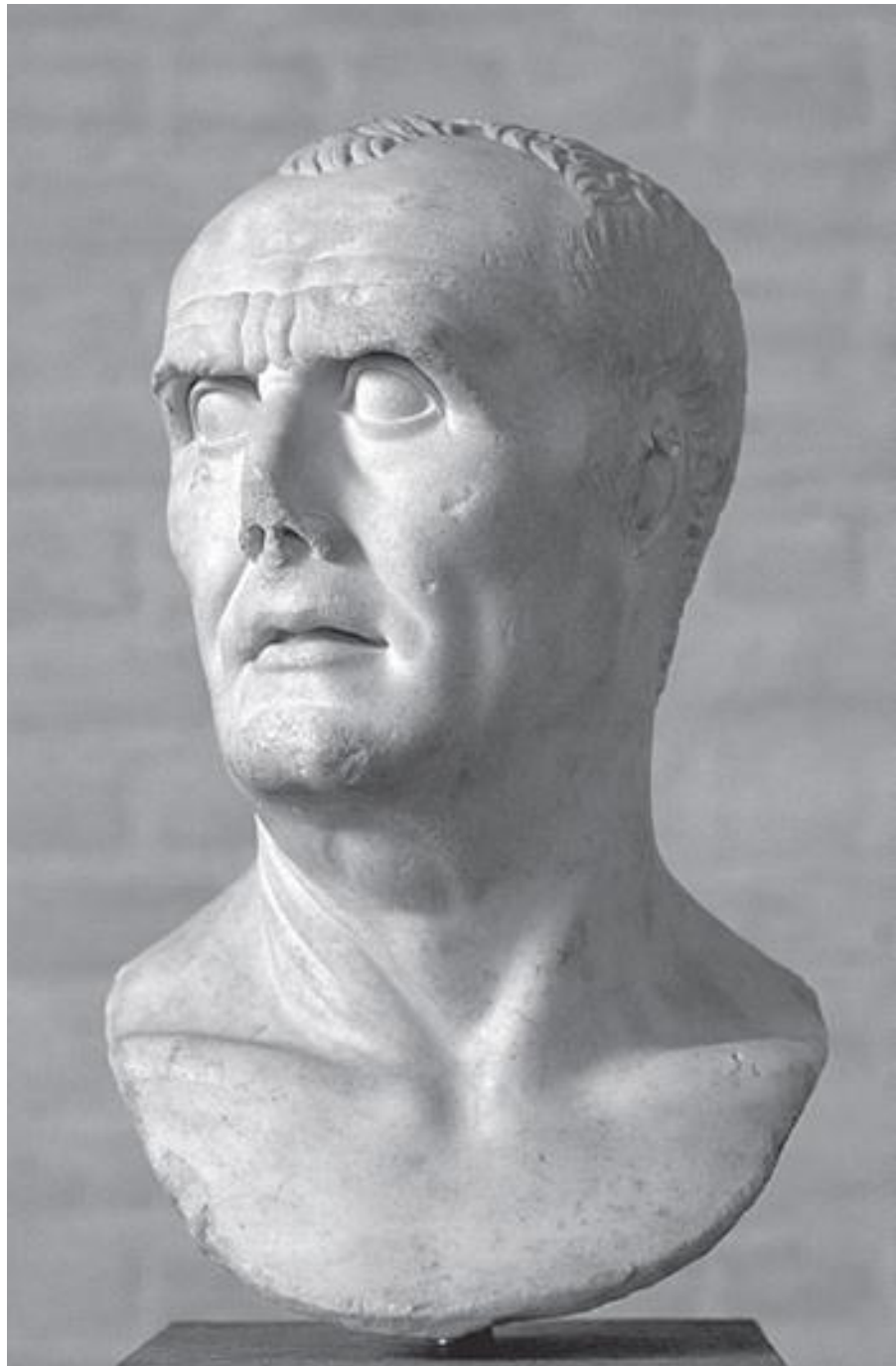
Depiction of the Gracchan brothers.



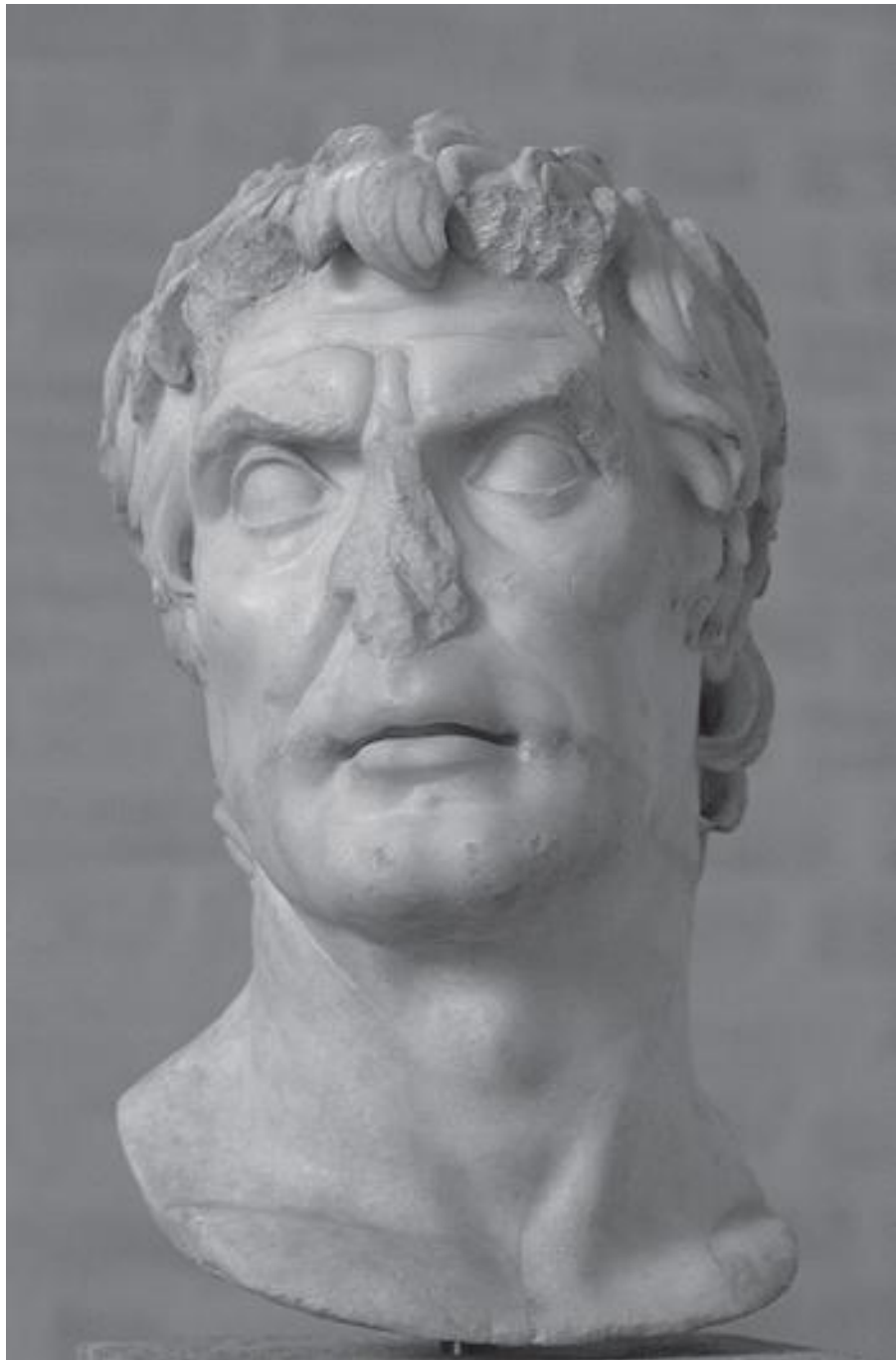
Depiction of Octavius being deposed.



Depiction of Caius Gracchus.



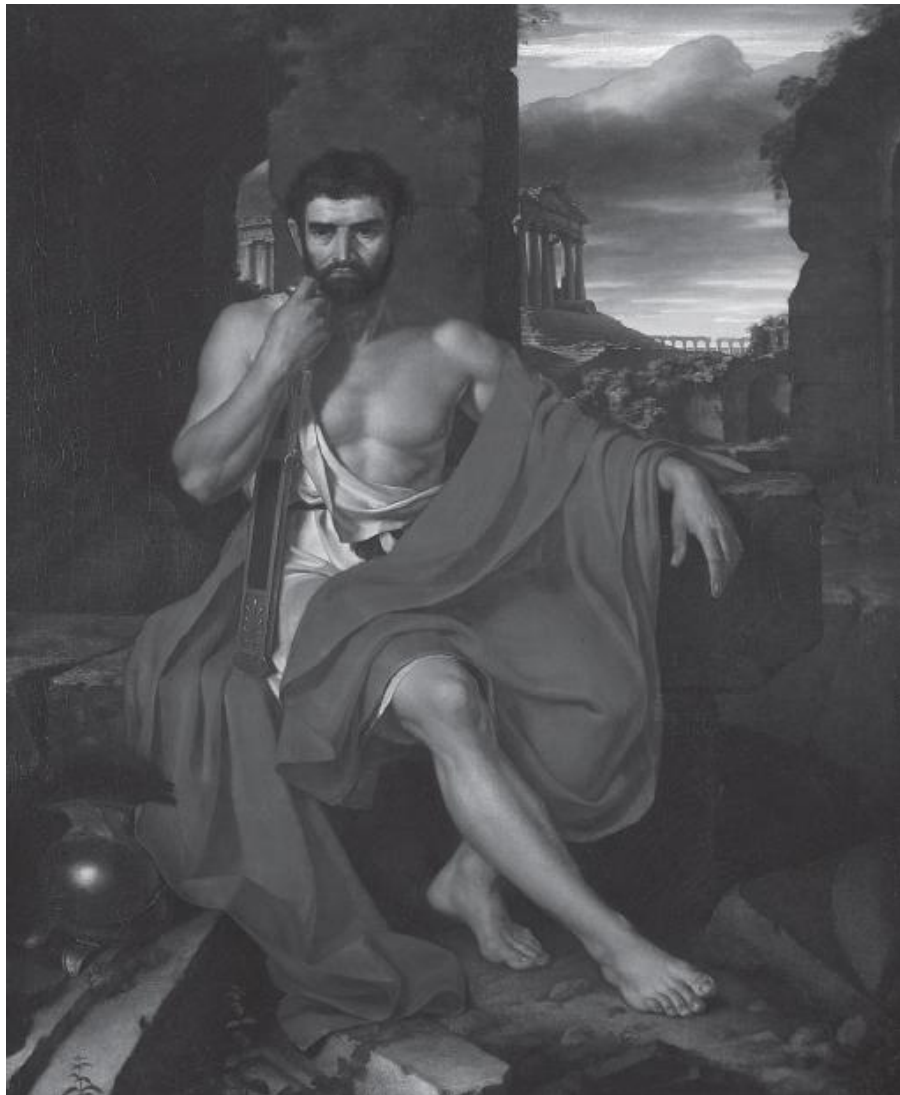
A possible bust of Marius.



A bust of Sulla.



Depiction of Jugurtha.



Depiction of Marius hiding at Carthage.



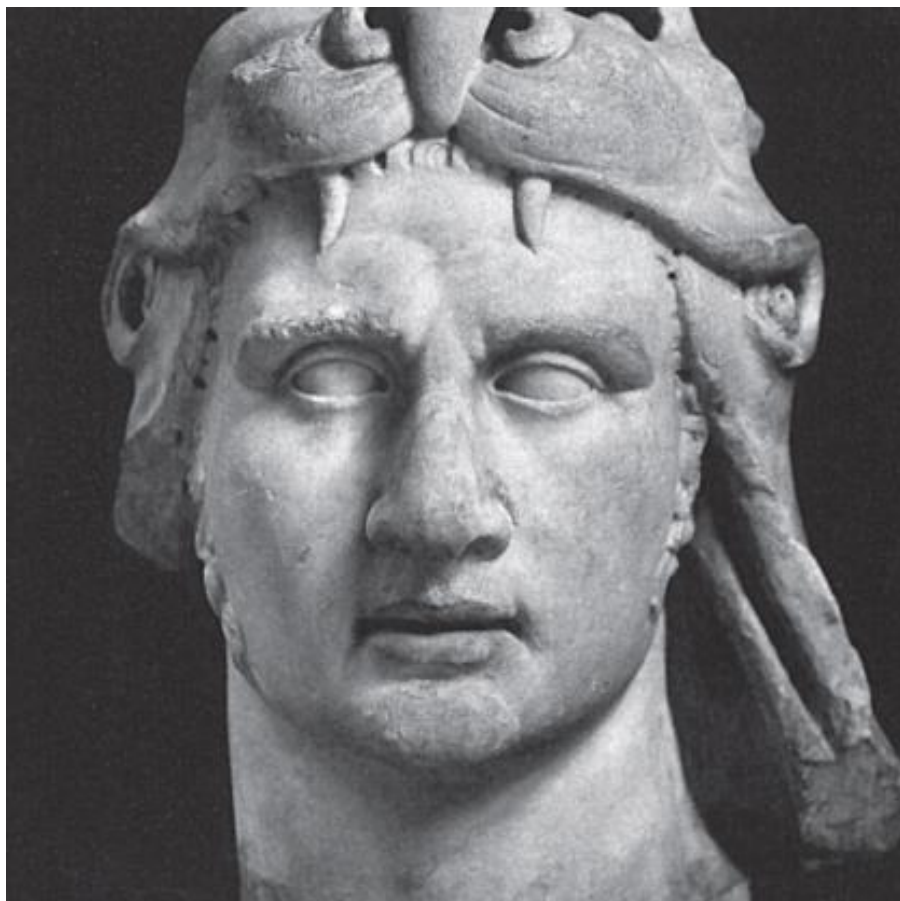
Coin of Saturninus.



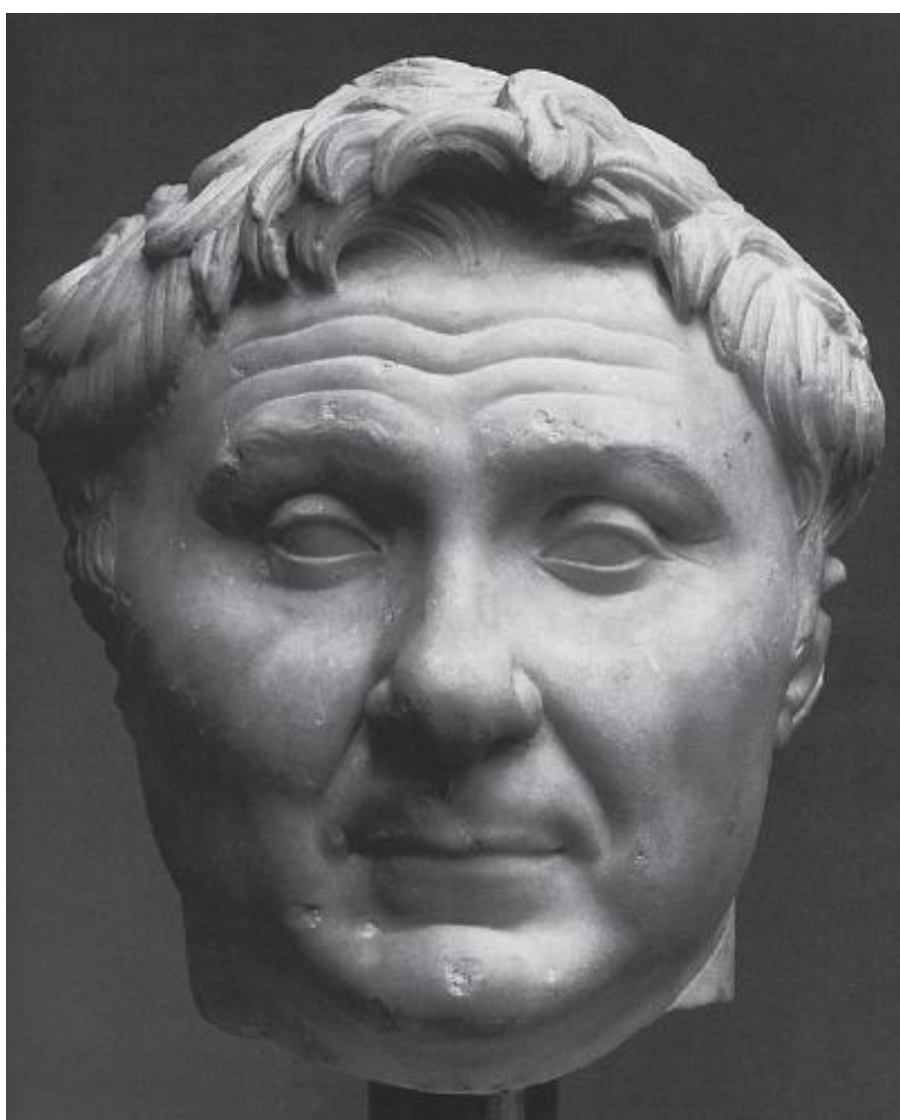
Coin of C. Valerius Flaccus.



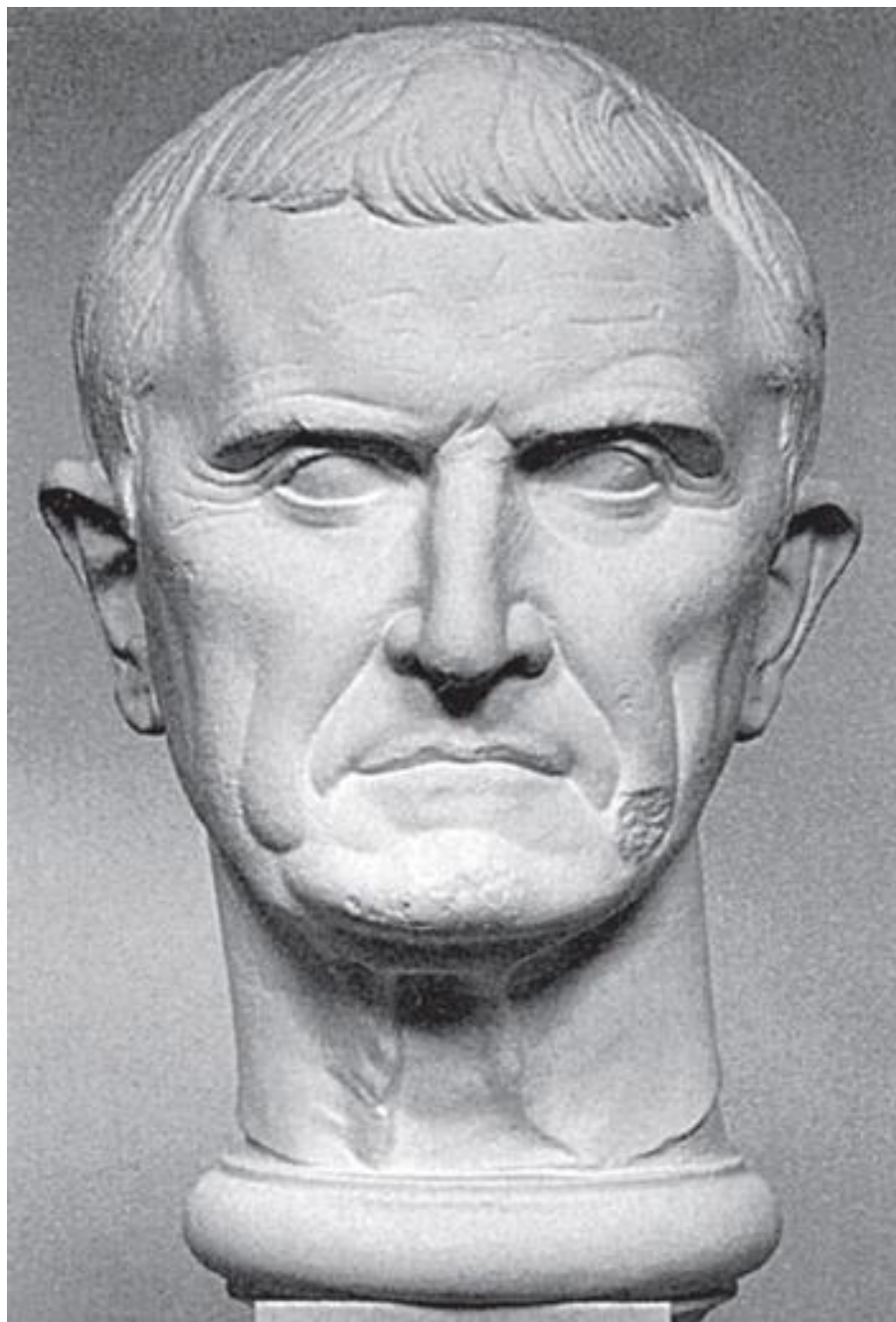
A Sullan victory coin.



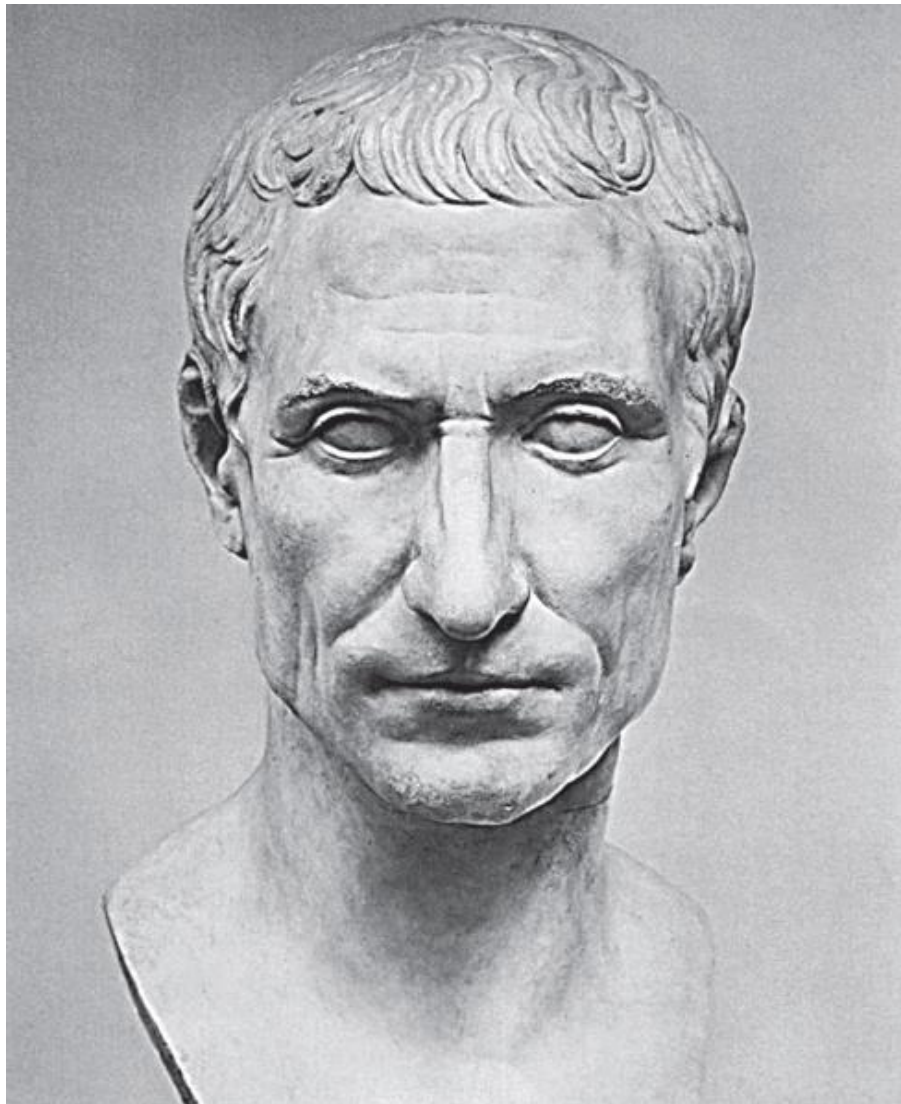
Bust of Mithridates VI of Pontus.



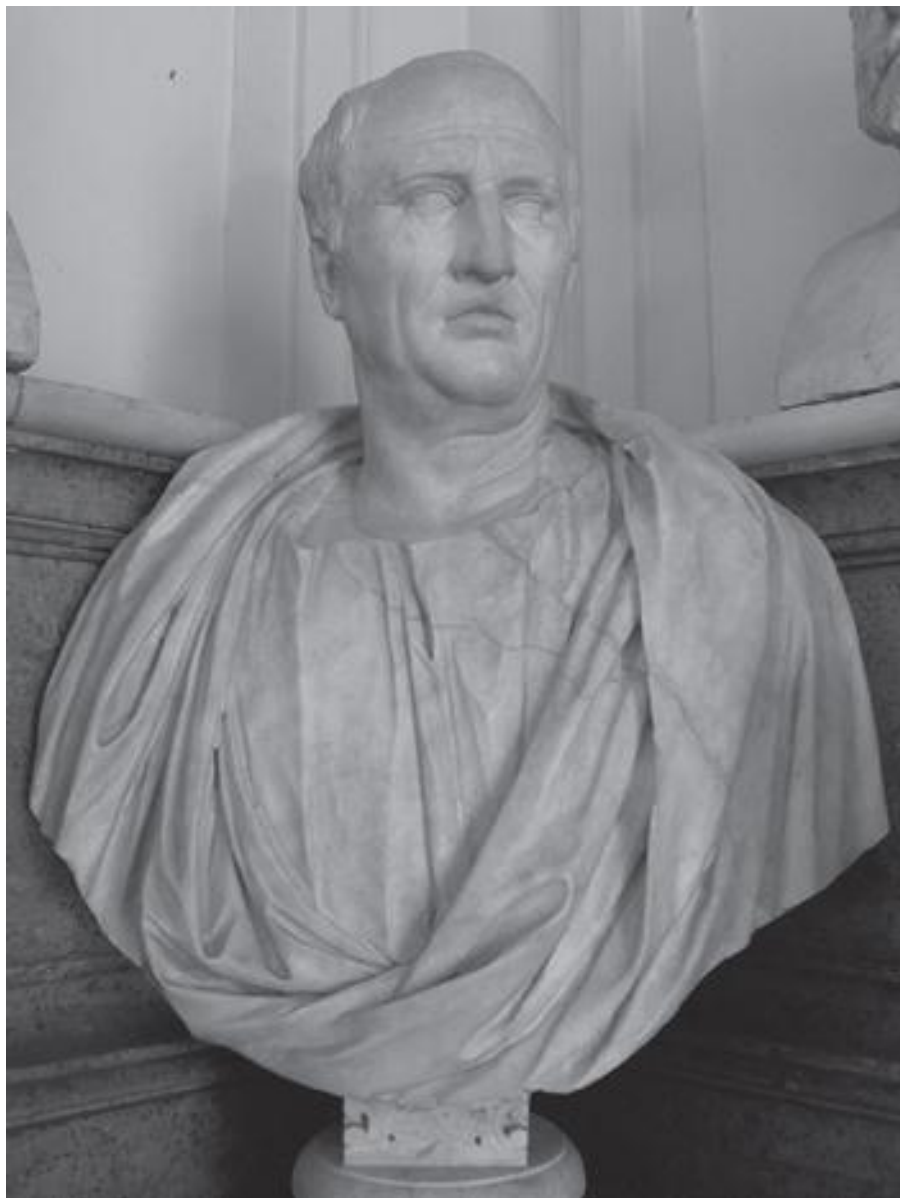
A bust of Pompeius Magnus.



A possible bust of Crassus.



A bust of Caesar.



A bust of Cicero.